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A Closer Look at Clarence Thomas

By JANE MAYER and JILL ABRAMSON

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CLARENCE THOMAS MOVED into his first real bachelor pad in the summer of 1982, not long after his first marriage broke up. Kaye Savage, a friend who picked him up in her car one weekend to go shopping for running shoes, remembers the Washington apartment as still underfurnished, with little more than a mattress on the floor and a stereo. But one other feature made a lasting impression. Mr. Thomas had compiled and placed on the floor "a huge, compulsively organized stack of Playboy magazines, five years' worth of them, organized by month and year."

The walls of the apartment also were memorable, she says. There was only one main room, but its walls—as well as those of the little galley kitchen and even the bathroom door—were adorned with nude centerfolds.

Ms. Savage stared awkwardly about her. The display seemed so out of character with everything else she knew about Mr. Thomas, whom the Reagan administration had recently placed atop the Equal Employment Opportunity Commission, the agency policing racial, sexual and other job discrimination. He was a fanatic about discipline and a daily churchgoer. He was honest to the point of indiscretion about his career ambitions. (He had already told her he hoped someday to replace Thurgood Marshall on the Supreme Court, Ms. Savage says.) But this suggested that Mr. Thomas had a private side very different from his public persona.

She couldn't contain her curiosity, and asked Mr. Thomas why he had so many sexually explicit magazines. "I don't drink, and I don't run around," she says he replied, implying that the magazines were his one recreational vice. In fact, she later told a congressional investigator, Mr. Thomas said that the magazines were the only possessions he had deemed worth taking with him from his collapsing marriage.

Ms. Savage thought it odd for a man in his 30s to be so absorbed by girlie magazines, odd enough that she says she mentioned it one day in 1982 to another acquaintance, Anita Hill, who worked for Mr. Thomas at the EEOC. "Yeah," she says Ms. Hill replied wearily, without a flicker of surprise, "that's Clarence."

Clarence Thomas has just begun his fourth year as a justice of the country's highest court. He is now a fixture of the institution, no longer its junior member, known by court-watchers as part of its most conservative wing. Yet the years have hardly stilled the controversy over how candid Mr. Thomas was in 1991 when he angrily denied, at his Senate confirmation hearings, ever having said anything like the crude sexual remarks Ms. Hill testified that he used with her.

Instead, the spectacle of these two famous combatants—retreating bitterly into their privacy, proclaiming innocence and victimization, and dismissing their critics as politically motivated—reflects how unresolved the conflict between them remains. Far from dying down, their clash continues to be an active battlefield in America's culture wars.

It is probably true that unless an eyewitness emerges, no one will ever know with certainty whether Ms. Hill or Mr. Thomas—if either—was telling the whole truth. But while the Senate hearings had the look of a comprehensive trial, what was visible to the

This article is adapted from the book "Strange Justice: The Selling of Clarence Thomas" by Jane Mayer and Jill Abramson, published by Houghton Mifflin Co., Boston. Copyright © 1994 by Jane Mayer and Jill Abramson.



Karen Caldicott

camera was only one scene of a larger drama that had been playing out for at least a decade and, some might argue, two whole lifetimes. After more than two years of research, including hundreds of interviews, it is possible to offer a much fuller account of what happened.

Mr. Thomas suggested at the hearings one approach to knowing the truth. "If I had used that kind of grotesque language with one person," he testified, "it would seem to me that there would be ... other individuals who heard it, or bits and pieces of it, or various levels of it."

As it turns out, there are. And although they weren't evident at the Senate Judiciary Committee hearings three years ago, a surprising number of these bits and pieces had reached the committee, Ms. Savage, for instance, offered to testify about Mr. Thomas's evident interest in sexually explicit materials at a time when he was supervising Ms. Hill. But committee chairman Joseph Biden decided it was ill-

advised to publicly air testimony on the explosive subject of a potential Supreme Court justice's private life. And Mr. Thomas, as a witness, stated emphatically that he would not discuss "what goes on in the most intimate parts of my private life or the sanctity of my bedroom."

(Since the hearings, Mr. Thomas has declined to elaborate on his position, rejecting numerous interview requests, including several from the authors of this book. Some comments from the justice, however, do appear in "Resurrection," a new book by his mentor, Sen. John Danforth of Missouri. Excerpts from it appear on page B12.)

One of the oddest of Ms. Hill's allegations was that one day when she and Mr. Thomas were working in his office, he got up from the table where he

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LEGAL BEAT

Who Has Right To Decide Fate Of Premies?

By EDWARD FELSENTHAL

Staff Reporter of THE WALL STREET JOURNAL
About an hour after the premature birth of their third child, Gregory and Traci Messenger asked hospital attendants for some privacy with the infant.

With the door shut, Dr. Messenger removed the 1-pound, 11-ounce boy from his life-support system. The sounding of an automatic alarm brought a doctor and nurse running to the room, but too late.

BIOTECHNOLOGY

Side Effects Dash High Hopes For Biotech Drug to Treat MS

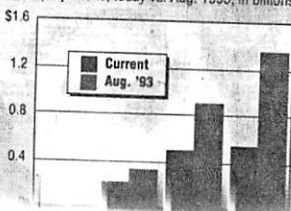
By RALPH T. KING JR.

Staff Reporter of THE WALL STREET JOURNAL
Because of multiple sclerosis, Rosalie Rodgers uses a walker to get around, her vision is cloudy, and she has been hospitalized repeatedly with severe attacks. But after eight months on Betaseron, a new biotech drug that could relieve such attacks in the future, she stopped taking it.

"It was helping at the beginning, then it backfired," says Ms. Rodgers, a 44-year-old nurse who suffered from stiff joints and incontinence after each injection. Although the intermittent attacks, which

Outlook for Betaseron

Sales projections, today vs. Aug. 1993, in billions



ENTERPRISE

FTD to Look At Bids to Make It Bloom Again

By GREG STEINMETZ

Staff Reporter of THE WALL STREET JOURNAL
A takeover battle for the Florists' Transworld Delivery Association, better known as FTD, says a lot about the changes sweeping the flower industry.

Essentially a clearinghouse for floral orders, FTD has become less relevant in recent years as technology and shifting consumer tastes have changed the way

A Close Look at Thomas's Life Finds Echoes of Some of Hill's Allegations

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had been sitting with her, went over to his desk to retrieve a can of Coca-Cola and, after staring at it, demanded to know, "Who has put public hair on my Coke?"

"I didn't have a clue how to interpret that," Ms. Hill testified. "I did not know. It was a strange comment for me. I thought it was inappropriate, but I did not know what he meant."

In the hearings, Mr. Thomas sounded equally baffled and offended by such language. Asked by Sen. Orrin Hatch if he had ever said such a thing, Mr. Thomas replied, "No, absolutely not."

"Did you ever think of saying something like that?" the senator asked.

"No," replied Mr. Thomas.

"That's a gross thing to say, isn't it? Whether it's said by you or somebody else?" Sen. Hatch continued.

"As far as I am concerned, Senator," Mr. Thomas said, "it is, and it is something I did not, nor would say."

But Ms. Hill is not the only employee of the EEOC who attributed this vivid phrase to Mr. Thomas before the hearings.

Marguerite Donnelly, a senior trial attorney at the EEOC until she went into private practice in 1986, says she was told by a co-worker in the early 1980s that Mr. Thomas "had said—and I thought it was in the presence of several people—that there was a public hair on his can of Coke." Ms. Donnelly says she told her husband, Allan Danoff, who was an attorney at the EEOC until 1985, about the peculiar comment, and her husband confirms this. "We certainly did hear about it back then," Mr. Danoff says.

Thomas aide Michael Middleton also says that he heard the public hair story associated with Mr. Thomas before 1985, when he too left the EEOC. "I have this vision of Clarence at the EEOC picking up a Coke and saying, 'Who put this public hair on my Coke?'" says Mr. Middleton, now a professor of law at Missouri North Central University. Mr. Middleton adds that he told his wife about it at the time and that years later, during the confirmation hearings, he turned to her and asked if she remembered the story, and she did.

But the memory, Mr. Middleton says, is quite hazy. He says he isn't sure whether he heard Mr. Thomas say it or just had it described to him back then. "It could have been a joke I heard him tell in the office," Mr. Middleton says. "It's vague. I just know that public hair in a Coke can was not new to me [during the hearings] with Clarence Thomas."

Since no one heard Mr. Thomas utter such a line to Ms. Hill—she says they were alone when he did—these statements don't necessarily confirm her account. Still, the three former EEOC attorneys all say they associated the line with a man who testified that he had never uttered it to Ms. Hill or anyone else.

* * *

As a student at Holy Cross College in Worcester, Mass., following stints at two Catholic seminaries, Mr. Thomas flirted with black separatism and took part in campus protests. But fellow students suggest that in comparison with many others he was a moderate, notable less for radicalism than for his outspoken and often argumentative independence of thought. Mr. Thomas was already examining the issue of race in America, beginning a thoughtful, iconoclastic search for answers that would occupy much of his life.

His views of women were distinctly conservative. He argued against premarital sex and told one friend he would leave a wife on the spot if she was unfaithful to him. Yet according to several classmates, Mr. Thomas also showed an unusual interest in talking about sex in gross and explicitly anatomical language. By the time he reached Yale

"So," Mr. Terry concludes, "when Anita Hill started talking, I knew the man was guilty. 'That's my boy,' I said. 'That's him talking.' I'm certain she was telling the truth, because the examples she gave sounded too much like him for it not to have been Clarence."

Two other college friends were struck, many years later, by Ms. Hill's testimony that Mr. Thomas had asked about a Coke can with public hair on it. Mr. Davis says of the hearings: "I didn't know what to think until I heard the Coke-can story. When I heard that, I knew he'd say stuff like that. He's not a bad person, but he had strange ways of making an impression."

Mr. Jones also lost any skepticism about Ms. Hill's testimony when he heard her specific allegations about the kinds of language she said Mr. Thomas used. "The Coke-can thing did it for me," Mr. Jones says. "It's like you remember some kid who always wore his hat a certain way—to me, it was 'I remember that kid, that's the way he talked, that's him.' It's the same hat, the same style, the same kid."

* * *

Almost as striking in Ms. Hill's testimony as the Coke-can line was her allegation that Mr. Thomas called her into his office one day and discussed a porno star named Long Dong Silver. "Have you ever heard the name of that?" Mr.

Thomas was asked at the hearings. "No, Senator," he replied.

It is entirely possible that Mr. Thomas was telling the truth. But the interest in pornography that he exhibited in college apparently continued through the 1980s, when Long Dong Silver was a known figure among fans of explicit films and magazines.

Barry Maddox, the proprietor of Graffiti, a video store a few blocks from EEOC headquarters, was taken aback by Mr. Thomas's testimony. "Clarence Thomas was a regular customer of adult movies" in the 1980s, Mr. Maddox says. "Not a notorious one, but he rented hundreds of movies. Some were kids' films for his son.

Others were X-rated. Our staff remembers him in the adult shelves." The store did stock a Long Dong Silver series, which Mr. Maddox calls "a freak-of-nature kind of thing."

It was in Graffiti that Frederick Douglass Cooke Jr., a Washington attorney and former District of Columbia corporation counsel, saw Mr. Thomas at the cashier's counter in the late 1980s with another "freak-of-nature" kind of film. Mr. Cooke thought it pretty amusing to run into the chairman of the EEOC, whom he had met once or twice, standing with an X-rated videotape titled "The Adventures of Bad Mama Jama." The jacket photographs showed an obese and huge-breasted woman.

Mr. Cooke mentioned it to a colleague. They had a good laugh and thought little more of it until Anita Hill came forward years later, alleging that Mr. Thomas had described bizarre "materials depicting individuals with large penises or breasts involved in various sex acts."

Word of this reached the Judiciary Committee's staff. But getting Mr. Cooke's testimony would have required a subpoena, and given Sen. Biden's decision regarding the sanctity of the nominee's private life, none was issued.

* * *

Clarence Thomas was born in Pin Point, Ga., to a woman whose life was as hard as almost any in America. Leola Williams was so poor as a child that she made dolls out of clumps of weeds and lived in a house whose walls were insulated with newspapers and caulked with library paste. There, on June 23, 1948, while still a teenager, she gave birth to her second child, Clarence. A few years later, Clarence's father deserted the family.

Mr. Thomas, according to his mother, offhandedly confirmed this preference. As his mother recounts the conversation, Mr. Thomas asked her, "Mama, what kind of women do I like?"

Leola Williams said she hadn't thought much about it.

"Well, what color was Kathy?" he persisted, referring to his first wife.

"She was brown," Ms. Williams says she answered.

"And the others?" inquired Mr. Thomas.

"They've all been light-skinned too," his mother said.

"Right," she says Mr. Thomas answered. "So what would I want with a woman as black as Anita Hill?"

* * *

When Ms. Hill testified to the Senate committee about her treatment by Mr. Thomas a decade earlier, skeptics soon wondered whether she had told anyone at the time. Eventually, four witnesses said they could corroborate at least parts of her account: Susan Hoerchner, John Carr, Joel Paul and Ellen Wells. All testified at the confirmation hearings.

There is a fifth person, whom Ms. Hill had forgotten so completely that after being reminded of him—two years after the Senate hearings—she still couldn't remember his first name. But once reminded of him in 1993, Ms. Hill confirmed his account. His name is Bradley Mims.

A dozen years after he knew Ms. Hill, Mr. Mims, who now works for the Federal Aviation Administration, says he clearly remembers the night that he met her. It was the beginning of 1982, and they had both enrolled in a night class for federal employees interested in improving their writing skills. Coincidentally, they had spoken on the phone that day, because she had been trying to reach his boss. After the members of the class introduced themselves, she sent him a note: "Hi—I'm Anita Hill, the person who called your office earlier today."

One night, Mr. Mims says, Ms. Hill came to class looking upset. During the break, he asked her what was wrong. She replied, according to Mr. Mims: "Clarence is doing real wild stuff. I don't want to talk about it."

But with a little goading, he says, she did anyway. She said that she and Mr. Thomas had gone to lunch earlier that day, as they had on several other recent occasions, and during the meal, Mr. Thomas had begun saying "really crazy stuff to her—talking wild." Mr. Mims says he knew exactly what she meant by "talking wild"; in their social set, it was slang for using explicit sexual language.

"She was clearly out of kilter about it," Mr. Mims says. "She seemed withdrawn and distracted. She still seemed to like and admire Mr. Thomas but just didn't know how to take it, how to deal with it, and what effect it would have on her. She seemed confused about what kinds of signals he was sending. She wasn't crying, but she was very upset."

Mr. Mims says he asked Ms. Hill the obvious question: Why not just get another job? "Hell, you're a Yale lawyer," he says he told her. "You can go anywhere you want." But Ms. Hill's reaction was anguished, he says, and somewhat calculating. She was young, she liked her work, and she knew Mr. Thomas was going places. As Mr. Mims puts it, "She wanted to ride his coattails." Mr. Thomas was simultaneously the best and worst thing that had happened to her.

It irked Mr. Mims that not long after one of their talks, he took Ms. Hill on an office picnic at which his own boss treated him poorly, and rather than being sympathetic, she asked irately how he could stay in such a job. Mr. Mims concluded that Ms. Hill lacked a certain amount of self-awareness, not to mention empathy.

* * *

Mr. Thomas never mixed business with pleasure, he told the Senate committee. "I ... do not commingle my personal life with my work life," he testified, "nor did I commingle [employees'] personal life with the work life." He denounced Ms. Hill's charges as contrary to the experience of every other woman who worked with him at the EEOC.

But in the months and years after Ms. Hill left the EEOC, three other women who worked for Mr. Thomas there say they experienced, witnessed or were told about the same kind of behavior.

was an EEOC speechwriter, older than Ms. Wright, and says Ms. Wright confided in her. As time went on, Ms. Jourdain told Senate Judiciary Committee investigators, Ms. Wright "confided to me increasingly that she was a little uneasy and grew more uneasy with the chairman, because of comments that she told me he was making concerning her figure, her body, her breasts, her legs, and how she looked in certain suits and dresses."

Once, Ms. Jourdain said, Ms. Wright stormed into her office, slammed the door and demanded, "Do you know what he said to me?" The answer, Ms. Jourdain said, "had something to do with 'Ooh—you have very sexy legs,' or something like 'You have hair on your legs and it turns me on,' or something like that." Ms.

Jourdain, who was fired by Mr. Thomas at the same time as Ms. Wright, also said that on one occasion, Ms. Wright told her Mr. Thomas had struck up a "conversation about bra size."

A third woman who worked for Mr. Thomas at the EEOC, Sukari Hardnett, also thought Ms. Hill's descriptions of Mr. Thomas's behavior rang true. Ms. Hardnett joined the agency as a law clerk in the chairman's office in September 1985, about five months after Ms. Wright had been fired and two years after Ms. Hill had left. Before long, Ms. Hardnett says, Mr. Thomas began calling her into his office for business meetings, but instead of business, talked about his private life and his relationships with women.

Ms. Hardnett said in a statement prepared for the Senate that "Clarence Thomas pretends that his only behavior toward those who worked as his special assistants was as a father to children and a mentor to proteges. That simply isn't true. If you were young, black, female and reasonably attractive, you knew full well you were being inspected and auditioned as a female Women know when there are sexual dimensions to the attention they are receiving. And there was never any doubt about that dimension in Clarence Thomas's office."

Ms. Hardnett said she was 35 at the time, and "I knew how to handle someone like that." But "Ms. Hill was 10 years younger. She wasn't part of the same social circle. She had no employment his-

tory to draw on. She was unconnected and naive."

Of course, some women at the EEOC quite clearly enjoyed Mr. Thomas's company. Phyllis Berry, for instance, testified that she had been

"privy to the most intimate details of his life." And when Thomas aide J.C. Alvarez was asked during the hearings whether Mr. Thomas had discussed pornography or sex with her, she testified that she and Mr. Thomas "had been friends for many, many years, personal friends. Our kids went to the same school together. ... We had the kind of confidences, personal conversations, that close friends have, and any more than that really is not relevant."

This picture of Mr. Thomas is far kinder. But he declared that he never mixed personal and professional matters, and even this more generous view of Mr. Thomas doesn't seem to support that testimony.

* * *

As the confirmation hearings wore on, Bradley Mims, the night-school friend who had briefly been close to Ms. Hill when she worked at the EEOC, watched with a growing sense of discomfort as her detractors suggested she might have belatedly concocted her charges for political and personal reasons. Mr. Mims now worked in the political office of the Smithsonian Institution; he loved lobbying Congress to keep the museum's funds flowing. Getting involved in this confirmation fight at a time when the federal government, his employer, was led by the Republican Party was about the last thing he needed.

As the headlines grew bigger and the acrimony built, Mr. Mims admitted to himself, "I know this stuff. I should be there." One of the few friends in whom he had confided called him every few hours and implored him to speak up.

But Mr. Mims had been in Washington long enough to see fights like this before and believed there would be no winners. In the political climate of Washington in the fall of 1991, good Samaritans, he believed, were suckers. No one, no matter how true his story, was going to be safe in this contest. So he kept quiet. ♦

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SAYS A WOMAN WHO
WORKED FOR CLARENCE
THOMAS AT THE EEOC.**

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