

**Bob Dole**



**NEWS**

**U. S. SENATOR FOR KANSAS**

**FROM:**

**SENATE REPUBLICAN LEADER**

FOR IMMEDIATE RELEASE  
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## **CLARENCE THOMAS**

### PEOPLE WANT GOOD GOVERNMENT, NOT GOOD THEATER, AT HEARINGS

THE SENATE RETURNS TO WASHINGTON TODAY WITH A BANG. OVER IN THE JUDICIARY IT'S "LIGHTS, CAMERA, ACTION" AS THE CURTAIN GOES UP ON THE CONFIRMATION HEARINGS ON THE NOMINATION OF CLARENCE THOMAS TO THE SUPREME COURT.

THE GREAT WILL ROGERS ONCE SAID THAT SENATE HEARINGS "HAVE ALWAYS CONTRIBUTED MORE TO AMUSEMENT THAN THEY HAVE TO KNOWLEDGE." FIFTY YEARS LATER, ROGERS WORDS RING MORE TRUE THAN EVER.

I'VE BEEN IN THIS BODY LONG ENOUGH TO WITNESS A COMPLETE REVERSAL IN THE RULES OF CONFIRMATION HEARINGS. IT WASN'T ALL THAT LONG AGO WHEN THE SENATE WAS COMFORTABLE BASING THEIR VOTE ON THE EXPERIENCE, THE ABILITY, AND THE CHARACTER OF THE NOMINEE. THE HEARINGS WERE USUALLY FAST AND EFFICIENT, BUT THEY WEREN'T VERY GOOD THEATER.

#### A MAN OF EXCEPTIONAL ABILITY

ALL THAT HAS CHANGED. THROUGH NO FAULT OF JUDGE THOMAS'S, THE HEARINGS WHICH OPEN TODAY ARE THE HOTTEST SHOW IN TOWN.

THOSE OPPOSED TO JUDGE THOMAS QUICKLY REALIZED THAT, AS THE ABA HAS CONCLUDED, JUDGE THOMAS IS QUALIFIED TO SIT ON THE COURT. THEY REALIZED THAT HE IS A MAN OF EXCEPTIONAL ABILITY. HE POSSESSES A BRILLIANT INTELLECT, AND HAS EXCELLED IN EVERY POSITION IN WHICH HE HAS SERVED. AND THEY REALIZED THAT HIS CHARACTER IS SECOND TO NONE--A CHARACTER FORGED IN A CHILDHOOD OF POVERTY IN THE SEGREGATED SOUTH.

GIVEN THE FACT THAT JUDGE THOMAS DOES HAVE THE EXPERIENCE, THE ABILITY, AND THE CHARACTER TO SERVE ON THE COURT, THOSE OPPOSED TO HIS NOMINATION TURNED ELSEWHERE.

THROUGHOUT MUCH OF AUGUST, COMMITTEE STAFFERS WERE DIGGING UNDER EVERY ROCK, INVESTIGATING EVERY NOOK AND CRANNY OF JUDGE THOMAS'S LIFE. A DETAILED ANALYSIS OF HIS BACKGROUND HAS APPEARED IN NEARLY EVERY PAPER IN THE COUNTRY. A BEVY OF SO-CALLED LIBERAL SCHOLARS AND POLITICALLY CORRECT INTELLECTUALS HAVE EXAMINED EVERY WORD SPOKEN OR WRITTEN BY JUDGE THOMAS, AS WELL AS APPLYING 20/20 HINDSIGHT TO EVERY DECISION HE MADE IN HIS PROFESSIONAL LIFE, AND ISSUED THEIR OPINION THAT HE IS "TOO CONSERVATIVE, OR "TOO INSENSITIVE."

#### REJECT THE LITMUS TEST APPROACH

AND PERHAPS MOST DISTURBINGLY, SOME MEMBERS OF THE COMMITTEE ARE PROMISING THAT THEY WILL "PIN JUDGE THOMAS DOWN" ON HIS OPINIONS ON ISSUES WHICH MAY COME BEFORE THE COURT.

THE IMPLIED THREAT IS THAT IF HIS ANSWERS AREN'T THE "CORRECT" ONES, THEN HE WILL NOT BE CONFIRMED.

AS I HAVE SAID BEFORE, THIS LITMUS-TEST APPROACH HAS BEEN REJECTED BY ANYONE WHO IS SERIOUS ABOUT MAINTAINING THE INDEPENDENCE OF THE FEDERAL JUDICIARY.

AS FORMER CHIEF JUSTICE WARREN BURGER RECENTLY SAID, "NO NOMINEE WORTHY OF CONFIRMATION WILL ALLOW HIS OR HER POSITION TO BECOME FIXED BEFORE THE ISSUES ARE FULLY DEFINED...BEFORE THE SUPREME COURT WITH ALL THE NUANCES THAT ACCOMPANY A CONSTITUTIONAL CASE. PRESIDENTS AND LEGISLATORS HAVE ALWAYS HAD PLATFORMS AND AGENDAS, BUT FOR JUDGES, THE ONLY AGENDA SHOULD BE THE CONSTITUTION, AND LAWS AGREEABLE WITH THE CONSTITUTION."

IT IS MY HOPE, THAT CHIEF JUSTICE BURGER'S WORDS WILL BE REMEMBERED, AND THAT THE GOAL OF CHAIRMAN BIDEN AND THE JUDICIARY COMMITTEE WILL BE GOOD GOVERNMENT, AND NOT GOOD THEATER.

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