

# Confirming Clarence Thomas

**Clarence Thomas** (b. 1948), **Anita Hill** (b. 1956)

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Between 1987 and 1991, the U.S. Senate Judiciary Committee conducted confirmation hearings on the nominations of five Supreme Court nominees: Robert Bork, Douglas Ginsburg, Anthony Kennedy, David Souter, and Clarence Thomas. The Senate rejected the Bork nomination. Ginsburg withdrew from consideration after acknowledging that he had smoked marijuana as a law student and professor. After largely uneventful hearings, Kennedy and Souter each were confirmed. Thomas was confirmed as well, but his hearings were anything but uneventful.

After nine days of testimony, just two days prior to the Senate vote, news broke that Anita Hill, a law professor and one of Thomas's former colleagues while he headed the Equal Employment Opportunity Commission, had come forward with allegations of sexual harassment. The Judiciary Committee held three additional days of hearings—"a circus sideshow" according to law professor Kim A. Taylor—that were likely the most watched Supreme Court confirmation hearings ever held. Communications expert Dianne Rucinski estimates that they were aired on cable and network TV as well as radio to as many as twenty-seven million homes.

Partisan politicking peppered three days of he-said-she-said testimony that Thomas himself characterized as "a national disgrace. From my standpoint as a black American, it is a high-tech lynching for uppity blacks who in any way deign to think for themselves, to do for themselves." The Senate confirmed Thomas by the closest vote of the century: 52–48.

Increased national consciousness made a lightning rod of the issue of sexual harassment, galvanizing action. Supreme Court scholar Henry J. Abraham observes: "many women made the Judiciary's supposedly callous treatment of Anita Hill a major campaign issue in the 1992 elections. . . . When the political dust had cleared, four more women had joined" the Senate. Political communication expert Dianne Bystrom also points to record-breaking numbers of sexual harassment inquiries made to and charges filed with the EEOC in the years immediately following.

**SEE ALSO** The Judiciary Act of 1789; Robert Bork's Supreme Court Nomination (1987).

*Associate Justice of the U.S. Supreme Court Clarence Thomas in his official portrait, taken on September 24, 2007.*

