

**Newsday** (New York)  
**May 4, 1993, Tuesday**

## How Anita Hill's Charges Became Political Grist

By **David J. Garrow**. **David J. Garrow** received a 1987 Pulitzer Prize for "Bearing the Cross: Martin Luther King Jr. and the Southern Leadership Conference, 1955-1968." His next book, "Liberty and Sexuality: The Right to Privacy and the Making of Roe v. Wade," will be published this winter.

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**LENGTH:** 839 words

THE REAL ANITA HILL: The Untold Story, by David Brock. Free Press, 438 pp., \$ 24.95.

DAVID Brock's investigative study of the sexual harassment charges leveled against Judge Clarence Thomas while his nomination to the Supreme Court was awaiting a Senate-floor vote in October of 1991 is a highly valuable but seriously flawed piece of work. Somewhat mistitled, "The Real Anita Hill" is an excellent analysis of how Senate staff members persistently encouraged Hill to make her allegations against Thomas a formal part of the nomination battle, and of how Hill's confidential charges were then leaked to the press by Thomas' opponents in a successful effort to force Hill and her accusations into the public eye.

Brock correctly emphasizes that up until Sunday, Oct. 6, when both **Newsday's** Timothy Phelps and National Public Radio's Nina Totenberg first reported Hill's charges, Hill had intended - and expected - that her allegations, and certainly her identity, would remain completely secret. Once Hill submitted written accusations to the Senate on Sept. 23, however, her expectation of continued anonymity was hopelessly naive, for then her privacy was at the mercy of any Thomas opponent willing to undertake a last-ditch effort to defeat the nomination by leaking Hill's confidential story.

"The Real Anita Hill" does a superb and extremely persuasive job of showing that Hill's charges - including the details of her initial interview with two FBI agents - were personally leaked to **Newsday's** Phelps by Illinois Democratic Senator Paul Simon, and that NPR's Totenberg was given a copy of Hill's initial statement by two Senate staff members: James Brudney, an aide to Ohio Democrat Howard Metzenbaum, and Ricki Seidman, an assistant to Massachusetts Democrat Edward Kennedy who now works for President Bill Clinton.

The book is almost as successful in demonstrating how serious factual contradictions marred the subsequent Senate-hearing testimony of both Anita Hill and her principal supporting witness, Susan Hoerchner. Brock suggests that Hill very likely was sexually harassed during her 1980-81 employment at the now-defunct Washington law firm of Wald, Harkrader & Ross and/or by another supervisor, Chris Roggeron, during the time that she worked for Thomas at the Equal Employment Opportunity Commission in 1982-83. He details how Hoerchner's recollection of Hill's statements about harassment - comments which Hoerchner initially told Senate staffers dated from early 1981, when Hill was still at the law firm and not yet working for Thomas - 10 years later led Hoerchner to assume, when she first heard of Thomas' Supreme Court

Nomination, that Thomas had been the harasser about whom Hill had complained a decade earlier.

Brock speculates that Hill, confronted with her old friend's clear recollection and mistaken conclusion, somehow initially failed to correct Hoerchner's faulty inference and then became more and more entrapped within a fictional story of harassment by Thomas as word of Hoerchner's account spread first to interest-group opponents of the nomination and then to Senate staff members. This analysis, unlike Brock's investigation of the Senate leaks, is suggestive rather than conclusive, but Brock's interpretation is highly plausible and in time may well prove to be far closer to the mark than many present-day pundits would like to believe.

"To question or criticize Anita Hill," Brock contends, "is tantamount to breaking a potent political and cultural taboo." From his vantage point as a journalist at the conservative Washington Times and the American Spectator, Brock wants to right the huge wrong that he believes Hill and her champions have done to Clarence Thomas' good name and reputation. Ideology aside, Brock readily admits that Thomas, during the first, pre-Hill round of the Senate hearings, "took artful dodging to a new level" in refusing to answer questions about controversial constitutional issues.

A FEW factual errors mar the book - none more ironic than when New York Judge Bruce Wright is called "Bruce White" - but in Brock's final chapter, where he attempts to offer an ideological explanation for Anita Hill's opposition to Thomas' nomination, Brock stumbles so badly as to seriously bruise his overall credibility. Labeling Hill "a full-fledged campus radical" at the same time that he terms the University of Oklahoma Law School "a comfortable left-wing academic milieu," Brock reveals an ideological perspective that is so skewed as to suggest that he lacks the critical judgment necessary for fairly evaluating the credibility of some potentially crucial anti-Hill sources.

Nonetheless, "The Real Anita Hill" is an important contribution to a debate that almost certainly will be with us for at least as long as 45-year-old Clarence Thomas continues to serve on the U.S. Supreme Court. Hill's accusation, Brock correctly notes, has already become "analogous to the Alger Hiss affair, in that both cases may be larger than the facts."

**Newsday** Photo by Daniel Sheehan, 1991-Anita Hill testifying before the Senate