

## Reading Clarence Thomas

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Clarence Thomas' brutally self-critical autobiography, *My Grandfather's Son*, bears little resemblance to most early accounts of the book's contents.

For instance, only at Page 241 — well past the 80 percent mark in a 289-page book — does Thomas reach the subject of Anita Hill's charges that threw his 1991 Senate confirmation hearings into turmoil. Previous references to Hill as an aide at first the U.S. Department of Education and then the Equal Employment Opportunity Commission foreshadow what's to come, but except for several derisively critical comments about her job performance, Thomas says nothing new about Hill or her accusations. Indeed, much of Thomas' account of his angry self-defense at those hearings is drawn directly from his public testimony and little more. Compared to the intensely intimate and emotionally riveting account that Sen. John Danforth, his mentor and close friend, provided in his 1994 book, *Resurrection: The Confirmation of Clarence Thomas*, Thomas' own revisiting of that traumatic experience seems terse and restrained.

Yet *My Grandfather's Son* is plenty newsworthy, even if initial reviews and commentaries have "missed the lede," as journalists say when stories fail to highlight what's most important. In fact, those accounts have missed multiple ledes.

## NO PUBLIC SCHOOLS

Let's start with one that's not all that obvious. Thomas' son, Jamal — who's now a 34-year-old options trader for Wachovia Securities in Richmond, Va. — was born while the justice-to-be was a newly married second-year student at Yale Law School. Jamal figures in this memoir most prominently when Thomas describes the subsequent dissolution of that marriage, after which Jamal eventually lived full-time with his father. But Thomas also recounts that, soon after Jamal's birth, TV news footage of black schoolchildren being bused into the vociferously hostile white neighborhood of South Boston led him to make a remarkable vow: "I swore on the spot never to let Jamal go to a public school."

Thomas kept his pledge, though in later years his personal finances repeatedly left him scrambling to pay Jamal's private school tuition bills.

Top public officials need not send their children to public school, but a personal aversion toward public education as intense and long-standing as Thomas' — apparently irrespective of state, district, or particular school — is a noteworthy attitude for a jurist who regularly confronts cases that present a wide range of public schooling issues. While Thomas' opinions in school desegregation cases such as *Missouri v. Jenkins* (1995) have long offered a fascinating window into his racial views, this past term he filed a remarkable concurring opinion in *Morse v. Frederick* (2007), the "Bong Hits 4 Jesus" case. Thomas argued that public school students possess no First Amendment rights — a dramatic rejection of the reigning constitutional precedent on that subject, *Tinker v. Des Moines Independent Community School District* (1969). He contended that public education's limited role in society — "parents decide whether to send their children to public schools" or "private schools or home-school them" — buttressed his

conclusion that public schools should be able to aggressively censor student speech. Five years earlier, in *Zelman v. Simmons-Harris* (2002), a school vouchers case, Thomas rued how “failing urban public schools disproportionately affect minority children” and observed that “religious schools, like other private schools, achieve far better educational results than their public counterparts.” In both cases, the similarity between Thomas’ parental commitment and his constitutional analysis suggests a highly instructive linkage.

### **‘COMFORT IN THE BOTTLE’**

The most dramatic “missed lede” from Thomas’ memoir is his insistently confessional accounts of a drinking problem that began during his undergraduate years at the College of the Holy Cross and lasted until 1982, when he gave up alcohol entirely. As a student, “I favored Ripple,” Thomas writes, “but I put away plenty of brandy, beer, and malt liquor as well.” Admitting a taste for Ripple is almost laughably embarrassing, but Thomas is dead serious about detailing his history of alcohol abuse so that others can learn from his remembered experience.

Thomas’ first job after law school was with then–state Attorney General Danforth in Jefferson City, Mo. Thomas left in 1977 to become an in-house lawyer with Monsanto in St. Louis, and he explains that “it wasn’t until I started earning more money” in that job “that my drinking became troublesome.”

It was “an outward sign of the anxieties that simmered inside me,” Thomas writes. As he became increasingly unhappy in his marriage — for which he blames himself and only himself — “I sought comfort in the bottle.” Each night after work he would drink at least one beer, “and usually many more. On weekends and holidays, I would spend the whole day and most of the evening downing one beer after another.” Thomas knew that he was “definitely drinking too much,” yet the problem only got worse after he moved to Washington, D.C., in 1979 to join Danforth’s Senate staff. Increasingly despondent about his home life — “I hated myself for my inability to be the loving, devoted husband” whom his wife deserved — “I drank more heavily than ever before.”

In December 1980, when Thomas’ wife and son went north to see her parents, “I started drinking as soon as they left.” The next morning, feeling depressed, Thomas decided to drive to his hometown of Savannah, Ga., notwithstanding an ice storm that had left roadways treacherous. He “grabbed a six-pack from the refrigerator,” cleared his car’s windshield, “and headed south, drinking beer and watching other cars slide off the road and crash into one another.”

Driving while impaired or under the influence — what was Thomas’ blood alcohol content once he’d downed that six-pack? — on an icy highway is not something one expects a Supreme Court justice to admit, even three decades after the fact. But this story is just one example of the intense, soul-bearing self-examination to which Thomas relentlessly subjects himself in this memoir. To call *My Grandfather’s Son* “emotionally revealing” would be the understatement of the year, and fatuous op-ed columnists who insistently declare that Thomas is just bitterly wallowing in self-pity have either failed to read this book or possess an undeclared bias that overwhelmed their critical faculties.

## LIVING WITH THE GUILT

Any reader who comes to this book without a pre-existing animus toward Thomas will likely feel tremendous empathy for his life story, even if the reader's legal views — like this reviewer's — differ from Thomas' on everything from abortion to the commerce clause to gay equality. Soon after his drunken southward drive, Thomas reveals, “the emotional emptiness at the center of my marriage” finally led him to move out. For someone whose own father had abandoned him, his two siblings, and their mother when Thomas was just 2 years old, it was a traumatic act. “I left my wife and child. It was the worst thing I've done in my life,” he writes. “I still live with the guilt, and always will.”

Thomas acknowledges that “I knew I'd hurt my own child, and that I could never repair the damage I'd done.” His younger brother “told me that he couldn't understand how I would do to my son what our father had done to us.” Thomas says he felt “overwhelmed by a feeling of hopelessness” after the breakup of his family. “I was on the brink of financial ruin,” and “I was nearly evicted from my apartment more than once because I'd been late with the rent.” Most days after work, “I went home to my tiny apartment and started drinking. That was how I spent too many nights in the early eighties, drinking alone in a dreary efficiency apartment.”

Thomas is brief and somewhat opaque about his apparently sudden decision to quit drinking. One Saturday morning in 1982, he woke up with “a splitting headache” after drinking too much the night before: “I opened the refrigerator to get something to eat. It was empty — except for two cans of Busch.” Then comes a decisive turning point in Thomas' life: “I thought of how long it took me to clear my head the morning after I'd had even a few drinks, and vowed that those two cans of beer would be the last alcohol I ever drank. I drew myself a hot bath and downed them slowly as I sat in it. I haven't had a drink since.”

That's all Thomas has to say about a seemingly surreal but crucial morning. Not many months later, his two grandparents who had raised him as a child died suddenly in quick succession. His mother had sent her two boys to live with her father and his wife when Thomas was 7, and — as this memoir's title highlights — Myers and Christine Anderson became the two most influential people in Thomas' life. Their deaths hit Thomas hard, in part because he had been largely estranged from his grandfather for some years until a partial reconciliation just shortly before Anderson's unexpected death.

“I cried uncontrollably each time I thought about them,” Thomas writes of the months after their deaths. “The guilt with which I had been wracked ever since” he had left his wife and son “doubled and redoubled.” When one recent interviewer suggested to Thomas that his 1991 confirmation hearings were certainly the most difficult time of his life, he demurred and replied that “the most difficult time was actually the death of my grandparents.”

## STILL HE ROSE

Thomas' grandfather was a hard-working, semiliterate jack-of-all-trades who farmed in the summer and delivered ice, coal, and fuel oil during Savannah's mild winters. He built the modest yet attractive home in which Thomas grew up — and in which Thomas' mother now lives —

with cement blocks of his own making.

Thomas was actually born in a tiny nearby rural community whose name he has made famous — Pinpoint — but his poor yet idyllic childhood took a radical turn for the worse when his mother moved her struggling family into an unheated, toiletless tenement in Savannah. It was “the foulest kind of urban squalor,” Thomas recalls, and only “constant, gnawing hunger” interrupted “the bleak monotony of my new life.”

Thomas escaped those conditions after less than a year when he moved in with his grandparents. Myers Anderson imposed rigorous and relentless discipline, and Thomas flourished, both at home and at the all-black Catholic school he attended. At age 15, he decided to go to a previously all-white Catholic school in preparation for entering the priesthood, and his grandfather firmly warned him, “Don’t shame me — and don’t shame our race.”

Leaving what he calls “the comfort zone of segregation,” Thomas worried about flunking out. He believed blacks were equal to whites, “but what if it turned out that we weren’t good enough after all?” His greatest problem was that “I didn’t speak standard English,” but instead the coastal patois known as Gullah. When the school’s headmaster told Thomas that he would have to learn how to talk properly, “his blunt words hit me like a slap in the face: I thought he was saying that I was inferior because I was black.” Though that lesson left Thomas “self-conscious about talking out loud in class,” he overcame his self-doubts and did well enough to enter seminary.

There, Thomas’ religious faith faltered during his freshman year, and he yearned to go home to Savannah. “I wasn’t prepared to put myself through the emotional strain of attending yet another predominantly white school,” he writes, but a former teacher persuaded him to fill out a transfer application to Holy Cross.

Thomas’ three years in Worcester, Mass. — 1968 to 1971 — coincided with the apex of black power and student protest. Ken Foskett’s invaluable 2004 biography, *Judging Thomas: The Life and Times of Clarence Thomas* — often a more revealing book than Kevin Merida and Michael Fletcher’s recent *Supreme Discomfort: The Divided Soul of Clarence Thomas* — provides greater detail about Thomas’ Black Student Union activism than this memoir offers. But Thomas recounts joining a spring 1970 anti-war march in Boston that degenerated into “a full-scale riot” when the protesters reached Cambridge’s Harvard Square. A fearful liquor store owner “gave some of us the wine we wanted for free” shortly before police used tear gas to try to halt the violence. “We kept on rioting well into the night,” Thomas writes, without detailing what he himself did. But the next morning, he says, he was “horrified by what I’d just done.”

## **A ‘PAINFUL TRUTH’**

From Holy Cross, Thomas entered law school at Yale. Contrary to some critics’ claims, Thomas explicitly acknowledges that “I’d been admitted to Yale Law School in part because I was black.” That “painful truth” would be “the soft underbelly of my career,” despite his good academic performance at such an elite school.

In his third year, job interviewers led Thomas to rue his choice of Yale: “Many asked pointed questions unsubtly suggesting that they doubted I was as smart as my grades indicated.” Foskett’s book says that Thomas anticipated an offer from a top Atlanta firm, but as weeks passed, Thomas says he drew his own conclusion: “Now I knew what a law degree from Yale was worth when it bore the taint of racial preference. I was humiliated — and desperate.” He believed he had no choice but to accept Danforth’s offer of a low-paid post in remote Jefferson City.

Thomas’ association with Danforth would carry him all the way to the Supreme Court, but his individual good fortune was tempered by his conviction that he’d seen firsthand how “a law degree from Yale meant one thing for white graduates and another for blacks.” He writes, “I’d graduated from one of America’s top law schools, but racial preference had robbed my achievement of its true value.”

Just as with his attitude toward public education, here, too, Thomas’ personal convictions inform his judicial conclusions. “Racial paternalism and its unintended consequences can be as poisonous and pernicious as any other form of discrimination,” he stated in *Adarand Constructors Inc. v. Peña* (1995). “To define each of us by our race,” he elaborated in a 1998 speech, is “nothing short of a denial of our humanity.”

Only glancingly does Thomas acknowledge how his own racial identity brought him the job offers that took him first to an assistant secretaryship at the Department of Education, then to the chairmanship of the EEOC, and finally to the U.S. Court of Appeals for the D.C. Circuit and the Supreme Court. Yet those are not what Thomas sees as the turning points in his life. Instead, along with his grandparents’ deaths, he cites his 1987 remarriage to Virginia Lamp and how in 1997 his 6-year-old grandnephew Mark Martin came to live with them in suburban Virginia. “We did for him what my grandparents had done for my brother and me at roughly the same age and under similar circumstances.”

Thomas’ performance as a justice has earned the respect of almost every unbiased Court observer. As liberal Supreme Court practitioner Thomas Goldstein recently wrote, Thomas’ “unflinchingly honest” opinions reveal how “he is thinking big and tackling the serious questions in constitutional law to which the Court has not given a fresh look in decades.” One need not agree with Thomas’ answers, or with his view of public education, to appreciate how *My Grandfather’s Son* will remain a classic work of African-American autobiography long after op-ed columnists’ catty comments are forgotten.

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