

# Bush names Marshall successor

**By Kendall Wilson**

**Tribune staff**

Civil rights advocates voiced reactions that ranged from lukewarm acceptance to disappointment Monday after President George Bush announced the nomination of District of Columbia U.S. Circuit Court Judge Clarence Thomas, a conservative African-American Republican, to fill the U.S. Supreme Court seat vacated by Justice Thurgood Marshall.

Thomas, 43, a Yale University graduate who was chairman of the U.S. Equal Employment Opportunity Commission (EEOC) during the Reagan administration, has been unpopular with civil rights groups, who claim he has been insensitive to the concerns of African-Americans, other nonwhite ethnic groups and the elderly.

But Bush, who was rumored to be favoring U.S. District Court of Appeals Judge District Court Judge Emelio Garza, an Hispanic from San Antonio, Texas, stunned reporters when he proudly announced

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that Thomas was his choice.

"I am pleased to announce that Judge Clarence Thomas is my choice to serve on the U.S. Supreme Court," said Bush. "He is a model for all America. He is an excellent legal mind. He was my first appointment to the U.S. Circuit Court of Appeals, where he excelled in everything. He is a fiercely independent thinker with a commitment to deciding his cases fairly."

Bush insisted during the interview that he "kept his word with the American people and the Senate by picking the best person" among the group of candidates, and not because he was African-American.

"We looked at all the candidates and had met several times with these people," said Bush. "We felt that with his (Thomas') seasoning, he was the best person at the right time."

Bush said the key factor in his

selection was getting someone "who would interpret the Constitution and avoid legislating from the bench."

The president said his final decision was based on "the people that I trust . . . that this was the way to go."

Thomas was emotional in his response, his voice cracking halfway through his remarks, in thanking those who helped him.

"I am honored and humbled by your nomination," he said. "As a child I would not dare dream, not to mention being nominated to the Supreme Court. My most vivid memory of the Supreme Court was that of seeing a sign in my youth that read 'Impeach Earl Warren,'" he said in reference to an era in which Warren headed perhaps the most liberal Supreme Court in history. "I knew he was in a world of trouble."

Thomas' voice broke and he paused for several seconds when he began to thank his grandparents, his mother, the nuns (he attended Roman Catholic schools) "who were adamant that I grow up and make something of myself. In my view, only in America can this be possible."

Asked if he were selected because he was Black, Thomas responded: "A lot of things have been said. I disagree with that. But I'll have to live with it."

Before chairing EEOC and assuming his judgeship on the U.S. Circuit Court of Appeals, Thomas was legislative assistant to U.S. Sen. Robert Danforth (R-Mo) (who sponsored a Senate version of the 1991 Civil Rights Bill) in 1979, and was appointed assistant secretary for civil rights in the Justice Department in 1981.

His appointment must be confirmed by the U.S. Senate, which in recent years has engaged in bitter debates over Reagan and Bush appointments.

Philadelphia's Sen. Arlen Specter, a member of the Senate Judiciary Committee, said that while Thomas "has an excellent record," the Senate Judiciary Committee "has a duty to put his record under a microscope to determine, as best we can, what kind of a justice he could be."

"I look forward to taking to closely exam the record and qualifications of Judge Thomas," said Sen. Harris Wofford (D-Pa). "This is one of the most important selec-

tions a president can make, and it is as equally important for the Senate to vote on."

Although he was unavailable at Tribune press time Monday, state Supreme Court Justice Robert N.C. Nix Jr. on Friday said he hoped Bush would select a Justice whose intellect, ideals, judicial temperament and sensitivity best exemplified those of Thurgood Marshall.

National Urban League President and Chief Executive Officer John Jacob said he welcomed the appointment of an African-American.

"Obviously, Judge Thomas is no Justice Marshall . . . But if he were, this administration would not have appointed him," said Jacob.

"We are hopeful that Judge Thomas's background of poverty and minority status will lead him to greater identification with those in America who today are vindicated by poverty and discrimination. We expect the Senate, in its confirmation hearings, to fully explore whether he is indeed likely to do so."

A. Bruce Crawley, a national board member and former chairman of the Philadelphia Urban League, said he was surprised and disappointed with Bush's choice.

"Basically, we see that the conservatives in our government in the past eight to 10 years have shown a strong track record of identifying people who look like African-Americans, but think like right-wing, conservative Republicans," said Crawley. "These people, who are also in strong evidence in the Reagan administration, are especially dangerous to our causes. When they make a right-wing, or racist statement inimical to the interests of minority communications, it is presented as if it is an appropriate representation of the segment of African-American community."

"These kinds of people provide a cover for the most dangerous kinds of laws in and rulings that have been forced on our communities over the past several years. I expect this same strategy at work with Thomas nomination."

Dr. Benjamin Hooks, president and CEO of the NAACP, said his organization is being "deliberate in our response," because this is "one of the most important actions President Bush will make during his administration."

"We expressed our view that

this person should embody many of the attributes Justice Marshall so ably articulated," said Hooks. "This nomination will require that we review his (Thomas's) record again."

**Juan Liceaga and Sherry Stone contributed to this article.**