

PANEL CONSISTING OF WESLEY S. WILLIAMS, JR., COVINGTON & BURLING, WASHINGTON, DC; ROBERT L. BECK, IMMEDIATE PAST CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER, MOTHERS AGAINST DRUNK DRIVING; AND ROBERT L. BARR, JR., PRESIDENT, SOUTHEASTERN LEGAL FOUNDATION, INC.

STATEMENT OF WESLEY S. WILLIAMS, JR.

MR. WILLIAMS. I will try to, Mr. Chairman. Mr. Chairman, members of the committee, with your permission, I would like to submit my full statement in writing and just summarize my remarks.

THE CHAIRMAN. Your entire statement will be put in the record as if read.

MR. WILLIAMS. Thank you. My name is Wesley Williams, Jr., and I am happy to have this opportunity to appear before you today to serve as a character witness. This is a very personal statement for your nominee, Judge David Souter, whom I have known for somewhere between 25 and 30 years. I want to emphasize that I am testifying on my own personal behalf, and my remarks do not necessarily reflect the views of any organization or any other group with which I may be associated.

Since my remarks are directed to the question having to do with the quality of the individual that the nominee represents, in my written remarks I detailed at some length certain relevant background of mine which might seem at first blush irrelevant, but I am sure the lawyers among you will realize and are familiar with the fact that character statements and reputation testimony of this sort is usually focused more on the person who is making the statement than on the fine points of what is said. It is the larger conclusions that I have for you, and I hope that I will provide you a basis for agreeing with them.

As you will see in my remarks, I have detailed the fact that I am a lawyer in private practice here. I am celebrating my 20th anniversary with the firm of Covington & Burling, at which I have been a partner for 15 years. The fact that I have held leadership positions throughout the 1970's and 1980's in a variety of legal, business, and charitable activities encompassing everything from the D.C. bar, social welfare agencies, educational institutions, the church, civil rights organizations, and so forth and so on. The fact that, like David Souter, I am a graduate of Harvard College and Harvard Law School, where the judge and I overlapped for 2 years in college and 2 years in law school, so we really do go back a long, long way. And, most importantly, as freshmen proctors—that is to say, as resident counselors and faculty advisers to freshmen at Harvard when we were law students—I must have had lunch or dinner with David Souter a half a dozen times a week for a couple of years. I literally saw him day in and day out for a long, long period of time.

I think it is significant that the judge and I crossed paths at a time when he was mature enough to afford his friends a glimpse of the person that he was and would remain, which was also a stage marked by optimal candor, a stage when none of us was in the public life.

With that premise—and I hope I have given you some basis, if not here then certainly in the written remarks, to conclude that I can speak credibly to the judge's professional and humane dimensions—I have these conclusions: In my experience, Judge Souter is every bit the fine human being that his advocates have portrayed him to be. He, of course, has a keen sense of privacy of the sort that we associate with small-town and rural America coast to coast. He has a refined sense of propriety and a sense of the time and place for particular conduct which, to my thinking, seems altogether appropriate for a judge.

He is here, as he should be—and I have watched the tapes—respectful and even demure. But in appropriate settings Judge Souter, like any other human being, can display as much zest as you or I for the play of ideas, for good humor, for good, honest fun, which is to say for life itself. In fact, I hope this will not embarrass him, the judge's reputation is of being something of a master of the bon mot. I have listened to many, many dinner table conversations with him, participated in them, and he is a master at that leisure time art of the clever rejoinder.

I say that because the rather demure image that you have here might convince some that we are perhaps dealing with some sort of legal automaton. He is not that at all. This is a full-blooded, normal human being who is a lot of fun and who is in touch with life.

More importantly, I observed and I am told that David Souter handled his responsibilities as a counselor and as an adviser at Harvard in a highly intelligent and caring fashion, with consistent evenhandedness, with attention always to the intellectual, psychological and social dimensions of the challenges we face from day to day.

To test my recollection, I took the liberty of asking a few of our colleagues, and I also spoke to some of the deans who would know what he was up to, and the view seems to be fairly widely held that Judge Souter was one of the best in his close dealings with a broad cross-section of a very diverse class, year after year, a class of students. The judge was intellectually challenging, as you would expect for a university setting, but at the same time always distinctly humane, thoroughly fair, thoroughly considerate and effective in every respect in that very human calling.

Some, especially in the written media, have called me and have asked me a number of questions, knowing about my friendship with Judge Souter going way, way back, and have asked me whether I have ever seen any signs of mean-spiritedness or prejudice on his part, whether toward racial minorities like me or toward women or otherwise. The answer is, in our personal dealings, in what I have seen from day to day on a sustained period of time, clearly and resoundingly no.

Judge Souter in my view has always conveyed, quite the contrary, very fine sense of accountability, to high-mindedness, to ethical values and to religious precepts, which I consider the ultimate guarantor, that hallmark of one who can be trusted. His charitable urges and compassion and sense of decency and fair play always seemed impeccable.

Again, I am pleased to serve as a character witness for the nominee. I am reminded of the remark that our other colleague, Eden Martin, made last night. The people who know Judge Souter up close and well and personally seem to have a lot of confidence in him and to like him. This person is, in my view, a fine craftsman of a judge and also, without question, an equally fine human being.

Thank you.

[The prepared statement of Mr. Williams follows:]