Anita Hill
The Rest of the Story
By Florence George Graves
The woman who nearly derailed Clarence Thomas’s Supreme Court nomination 11 years ago is now happily teaching at Brandeis—and still disclaiming credit for awakening Americans to workplace sexual harassment.

By Florence George Graves

THE COMPLETE

ANITA HILL

Anita Hill is shopping at T. J. Maxx in Woburn when she turns to the customer beside her for a second opinion: “What do you think of these shoes?”

“Anita?” the woman gasps, stunned to be face to face with the person whose name became a household word during the 1991 confirmation hearings for Supreme Court nominee Clarence Thomas.

Fortunately, says Hill, that doesn’t happen very often, now that 11 years have passed since her testimony on sexual harassment both riveted and divided America. Occasionally, she says, people will say: “‘Oh, you have a very famous name,’ and I will say, ‘Yes, I do!’” And she will simply smile, relieved at the lack of recognition.

Now a professor of law, social policy, and women’s studies at Brandeis University’s Heller School for Social Policy and Management, Hill says she enjoys “regular anonymity” on a campus populated primarily with students who were in elementary school when she exploded into the American consciousness. And after enduring a decade of attacks on her character, hissing and racial epithets from strangers, and the searing glare of fame, that’s just fine. “I didn’t have any ambition to become a celebrity,” she says.

Of course, no one could have predicted that her allegations against Thomas, her former boss at the Equal Employment Opportunity Com-
mission, would hit with the power of what some likened to a "gender quake." Overnight, everyone in the country seemed to have an opinion about who was telling the truth – Hill, the 35-year-old University of Oklahoma law professor, or Thomas, the controversial black conservative who had been nominated by President George Bush to fill the seat of Justice Thurgood Marshall, a black liberal icon.

For many people, Hill remains a symbol frozen in time: a single video frame of the self-possessed woman in a turquoise suit holding her own against a phalanx of white male senators who, as they grilled her, shifted the focus away from Thomas’s fitness for the Supreme Court and, in effect, put her – a witness – on trial.

“I swear that sometimes people still think I’m going to walk in the same suit, and that’s who they think I am,” says Hill, now 46. “That wasn’t even all of who I was then.”

The hearings marked a defining moment in the country’s culture wars that had begun in the 1960s, triggered by liberation movements for blacks and other racial and ethnic minorities, women, gay men, and lesbians. During one long Columbus Day weekend, Hill awakened Americans to the plague of workplace sexual harassment.

Thomas ended up winning the seat on the Supreme Court – though by only two votes, the narrowest margin of any successful Supreme Court nominee in history. But as the 1990s unfolded, it was Hill’s testimony that resounded. The hearings became a catalyst for landmark legislation on sexual harassment, and they spawned a cascade of political events related to sexual misconduct – from the resignation of Senator Robert Packwood to the impeachment of President Bill Clinton.

Today, Hill retains the same restraint and air of mystery she displayed at the hearings, and she continues to avoid feeding full time on fame. “I think there were a lot of people who wanted me to come out and be this hard-hitting, bombastic, angry, aggressive person and take a leadership role. That respect. I couldn’t do that,” she said. “That’s not who I was, so that wasn’t an option.”

Indeed, she’s an often reluctant interview subject who staunchly refuses to let the hearings define her. “I was a teacher long before I was a witness,” she tells me. I remind her, however, that her testimony was a life-changing experience for many Americans who, learning more about her story, would get insights into their own lives and into a decade of profound change in gender relations she helped ignite. “I hadn’t thought about that way,” she says.

We spoke a number of times over the past several months – the most in-depth interview Hill has given since the hearings – but she’s clearly most comfortable talking about social and political issues, once declaring, “I’m tired of talking about myself.” I expected her reticence but not her humor. “Gloria Steinem can get married, certainly I can at least date,” she says. “That’s one point, laughing, as she confirms that for the past year she has had a loving relationship with a Waltham businessman.

Since the Hill-Thomas hearings, I have spent a decade reporting on and trying to make sense of – the changes in the political and cultural landscape that followed. It was during that time that Florence George Graves, a former Washington Post reporter, was a resident scholar and journalist at the Brandeis University Women’s Studies Research Center. Noah L. Brovman contributed research assistance.
lanscape her testimony helped bring about. But for Hill, I had a more personal series of questions. She had never volunteered to become an icon in the culture wars; nor did she know how bad it was going to get. Over the years, I often have wondered, how did this dignified and private woman survive?

Many people forget that Hill had done everything in her power to avoid an open confrontation with Thomas. But someone had leaked to the press her private statement to the Senate Judiciary Committee, inciting public outrage and sparking demands — especially from women — that she be heard.

Her testimony was seismic. She said that when she and her boss were supposed to be working, Thomas would sometimes launch into descriptions of pornographic movies involving women with unusually large breasts who engaged in sex "with different people or animals." She said he talked about a largely endowed character named Long Dong Silver as well about his own sexual prowess. Equally bizarre, she said, he once asked her, "Who put pubic hair on my Coke?" He also repeatedly pressured her for dates, she said.

All this happened, she said, when she was 25 years old, only a year or two out of law school. Her goal in testifying, she told the senators, was to give what she believed was relevant evidence about Thomas’s character, not to seek redress for a claim of sexual harassment, as so many people wrongly assumed.

Thomas "unequivocally" denied all her allegations and put the senators on the defensive, saying he would not submit to their "high-tech lynching."

Hill was shocked. Her thinking at the time is perhaps best reflected in her
1997 memoir, Speaking Truth to Power: "In my heart I was sure that he would acknowledge the immorality of his behavior, however obliquely, and offer an explanation, if not an apology."

Perhaps naively, Hill expected to give her testimony and resume her private life in Norman, Oklahoma. Instead, she returned home "deeply wounded." Senator Arlen Specter, a Pennsylvania Republican, had accused Hill of "flat-out perjury." Senator Alan Simpson, a Republican from Wyoming, had said she was "getting stuff over the transom" suggesting the committee should "watch out for this woman." Another Republican senator, Orrin Hatch of Utah, had suggested that Hill had combed The Exorcist for the public-hair line. The G.O.P. had tried to portray Hill as a spurned woman who had fantasized a sexual relationship with Thomas.

Hoping to find anything to discredit her, Thomas's chief supporter, Senator John Danforth, a minister, even tried to line up a psychiatrist to testify on the rare psychological disorder erotomania, a term for someone with excessive romantic delusions. The Missouri Republican also tried, unsuccessfully, to drum up credible derogatory affidavits from her former law students. At the time, Thomas said Hill's allegations were "scurrilous." (Thomas was not available for comment for this article. A Supreme Court spokeswoman says that Thomas declines all interview requests.)

Once home, Hill faced death threats, strangers condemning her to hell, hostile stares, and stalks by reporters. At times, she also had feelings of profound isolation. But then came an avalanche of almost 20,000 letters, most praising her courage. "People would say, "We have a prayer chain going for you."

But her cherished connections to the African-American community were frayed. Some blacks felt she "had violated a spoken or unspoken norm"—what her hearing lawyer Emma Coleman Jordan has called a "gag order" placed on African-American women who have been abused by African-American men.

Then, in 1993, a year and a half after the hearings, David Brock, a writer for the American Spectator magazine, published The Real Anita Hill, a scathing book that Hill has said "hinged on sexual mythology about black women and society's willingness to believe it."
Spectator article in which he had called Hill “a little bit nutty and a little bit slutty.” Brock purported to uncover new and damaging information about Hill and her motives. The book, which reinvigorated the debate about who was telling the truth, soared to the top of bestseller lists. Soon Brock was driving a black Mercedes and living in an expensive 19th-century home in Georgetown, known on the Washington, D.C., gossip circuit as “the house that Anita bought.”

In the meantime, Hill was trying to return to her earlier, more placid life as a tenured professor at the University of Oklahoma College of Law. But as she resumed teaching, her detractors disintegrated, psychologically analyzed, and lied about her.

Two Oklahoma political activists, E.Z. Million and state Representative Leonard Sullivan, a Republican, mounted a crusade to have Hill and her supporters fired. Calling Hill a “cancerous growth,” Sullivan even proposed a bill to eliminate the law school. The school’s dean and the university’s president stepped down in the mid-’90s; Hill and Shirley Wiegand, a law school colleague who had accompanied her to the hearings, resigned in 1997.

HOW, I WONDER, DID Hill survive the ugliness, the vulgarity, the deeply personal attacks that would have destroyed many people?

“I prayed a lot,” she says. “I really believed that despite all the chaos in my life, there was something greater than anybody else on this earth still in charge, and I could count on that getting me through.”

Whether given divinely or from her parents, what she calls her own stubbornness kicked in. “I think perhaps it happened to me because I had what I need-
ed to get through it. I just could not let this destroy me,” she says now. “It didn’t mean I didn’t feel beat up a lot of the time, but I just refused to be undone. If I had gotten to the point where I thought I would have gone into therapy. But fortunately, I didn’t have sustained moments when I thought: ‘I can no longer take this.’”

She turned to her inner circle for support. “My friends would tell you they were my therapists,” she says, adding that her family felt like “a big blanket around me.” Her mother, especially, “really helped me to be centered and grounded. She never questioned. She never doubted. And that gave me the confidence never to doubt myself and to hold onto my integrity and my right to give the testimony I gave.” Even her seven brothers—whom she would not call feminists—got this. “Or maybe they got it because they got me.”

Her nephew Eric Hill, who is very close to his Auntie Faye (he uses her middle name), never doubted her, either. In fact, he says, his aunt was always known for telling the truth—even when you didn’t want to hear it. Her trust in family and friends was buoyed by the fact that she was never betrayed by anyone who really knew her. “I didn’t have friends who went to the National Enquirer to try to sell a story—not even old boyfriends,” she adds, laughing.

With her friends and family firmly behind her, Hill decided she could best maintain her dignity by not responding to false allegations, including Brock’s, which she considered “so unreal and so bizarre that it reduces you to even respond.” Public opinion polls favoring Thomas during the hearings reversed one year later, showing far more Americans believed Hill than Thomas, perhaps
because increased media attention helped people better understand the dynamic of sexual harassment. But for those who still doubted her word, Hill says, she decided “to let my life speak for itself.”

Following the hearings and the pressure to become a public person full time, Hill struggled to understand who she was. “Celebrity is not who you are,” she says. “And you can’t let that become who you are.” She remembered the words of author Ralph Ellison, whom she paraphrases: “When I know who I am, then I will be free.” It has really liberated me to know who I am, because I don’t have to worry about all those things that I’m not.” Her conclusion: “I am primarily an educator.”

Instead of redefining herself, she refined who she is. She usually prefers a library to a podium, as she sometimes feels “ill-equipped” to put her celebrity to use effectively. “I do still want to be a voice,” she tells me, but only when she has “something meaningful to say.” She tries to see her fame as a gift that she can use to educate people about sexual harassment and inequality in the workplace. With practice and effort, Hill says, she has become comfortable, in a limited way, with being in front of a crowd and talking to people and really trying to relate to people.

She says she has turned down many lucrative offers to exploit her fame. She refused to sell movie rights to her story; she refused to make television appearances in which she was expected to be “completely pathetic” or “completely angry and vindictive”; she refused to give a Playboy interview; and she refused an offer to quit her job at Oklahoma’s law school and go on a full-time, paid speaking tour talking about her experiences. “That wasn’t attractive to me at all, because I still felt that I was more than that experience,” she says. Hill also believes accepting such offers would have hurt the issue of sexual harassment by putting the focus in the wrong place – on her as “just another celebrity” instead of on the problem.

Eventually, however, she did decide to tell her story, receiving a $1 million advance for a two-book deal. (The second book was dropped, she says.) In the final chapter, an “Open Letter to the Senate Judiciary Committee,” she offers an analysis of how to repair the Senate confirmation process. She also urges the committee to publicly apologize to her parents, who were almost 80 years old during the hearings, because “your malicious indictment of me was a malicious indictment of them and all that they have taught me.”

She says that writing her memoir was both educational and therapeutic. As she traced her family history to enslaved blacks in the South, she drew strength from what she learned “about what my family had gone through.” Some of her grandparents and great-grandparents had come to the Indian Territory and Oklahoma to escape the overt racism of North Carolina, Arkansas, and Texas, only to find, she says, additional – though perhaps less violent – inequality.

Her mother and father, Erma and Albert Hill, were dirt-poor farmers in Lone Tree, Oklahoma, and the parents of 13 children. Anita was the last, born in 1956. The family home, covered with tar paper, had no running water or indoor plumbing until she was 12. It was 1967 before she saw a movie (Bonnie and Clyde) in a real theater. Telephone lines finally came to Lone Tree in 1972, when she was in high school.

“I grew up with a really smart mother, even though she wasn’t well-educated,” Hill tells me. She believes her mother, who died in November at age 91, might have become a physician if she had been born a generation or two later. Instead, she focused on helping her children become “independent emotionally as well as financially,” says Hill. “I grew up in a setting where I was taught that you behaved and acted in a dignified way in any setting.”

Hill was a precocious child, always drawn to books and learn-
ing. Her sister Joyce Hill Turner told me about teaching an eager Anita to read and to do math before she started school. In 1973, Anita Hill graduated valedictorian from her integrated, but largely white, rural high school, entered Oklahoma State University as a National Merit scholar and psychology major, and graduated from Yale Law School in 1980. Despite believing that true equality "may take generations" to achieve, Hill is awed that the young girl from Lone Tree, whose family income was below the poverty level, is living the "better life" her grandparents and parents dreamed of.

And years later, when her mother, father, five of her 12 siblings, and other family members entered the hearing room of the Russell Senate Office Building, Hill recalls "feeling quite strong at that point." And at that moment, she recalls in her memoir, she also saw "not only those present but those who came before us as well. Having lived through our struggles together in a life that was anything but easy, we expected adversity, and we expected to withstand it."

While Hill was letting her life "speak for itself" over the past 11 years, the facts - many of them suppressed at the time - were unfolding in her favor. The newly disclosed information also was illuminating a deeply flawed - some would say completely undemocratic - system for approving one of the most powerful officials in the United States.

Three years after the hearings, in 1994, two journalists, Jane Mayer and Jill Abramson, concluded in their investigative book, Strange Justice: The Selling of Clarence Thomas, that a preponderance of the evidence - a legal standard for most civil cases - suggested that Thomas had lied under oath. They reported that former EEOC employee Sukari Hardnett, an African-American, had sent a letter to the committee saying she quit her job because of the way Thomas seemed to audition, with a "sexual dimension," young, black, "reasonably attractive" females. She was willing to testify, but the committee never called her. Angela Wright, another African-American woman who had worked for Thomas (after Hill), was subpoenaed by the committee and said in a sworn statement that Thomas had pressured her for dates and commented inappropriately about her body, once even asking her the size of her breasts. But even though she was waiting in a Washington hotel, the committee never insisted she testify.

Although Hill testified that Thomas had spoken graphically to her about pornographic movies and actors, Thomas's supporters portrayed him as a regular churchgoer who wouldn't know about such things. But in an interview, Barry Maddox, owner of the store where Thomas had rented videos, told John Greenya, author of a 2001 Thomas biography, Silent Justice, that Thomas regularly rented X-rated videos and often asked for his advice. Maddox confirmed this with me in an interview. He said that, at the time of the hearings, his attorney advised him not to speak out, but instead to wait for what he assumed was an imminent subpoena. Maddox was surprised the committee never called him. Now, he says he thinks "all the time" about how his information might have changed the course of history.

As we talk about all of this, Anita Hill, as is her style, cautiously concludes that "there was a real conspiracy to keep people from hearing" relevant information.

Then, earlier last year, nine years after publishing The Real Anita Hill, Brock - calling himself "a Jew in Hitler's army" who experienced a crisis of conscience - published Blinded by the Right: The Conscience of an Ex-Conservative. In it, he confesses to doing "everything I could to ruin" Hill's credibility by concocting "a witches' brew of fact, allegation, hearsay, speculation and invective labeled by my editors as 'investigative journalism.'" Hill shares with me a handwritten note Brock sent her before the book was published: "I know it is too little too late, but please accept my personal apology."

Brock, who says he was "a witting cog in the Republican sleaze machine," was amazed he had been taken so seriously by the mainstream media. For example, a number of powerful critics - including Jonathan Gruber in The Washington Post and Christopher Lehmann-Haupt in The New York Times - had lavished praise on his book about Hill. Hill is equally astonished. "Why did they buy into his imagery and vilification of me? That's what's troubling," she tells me, adding that she's "amazed that reasonably intelligent people could be so drawn into the portrayal that they didn't question the logic. If ambition and viciousness were motivating forces in my life, would I have waited eight years" after leaving Washington to escape Thomas's behavior to speak out?

Or, as Yale law professor Stephen L. Carter writes in The Confirmation Mess: Cleaning up the Federal Appointments Process, had she been truly vengeful, Hill would have concocted a more unambiguously damning story, saying that Thomas had threatened "professional retaliation for refusing sex."

The irony, of course, is that as the
attacks on Hill escalated, her very public courage and dignity seemed to embolden thousands, perhaps millions, of women. Inspired by Hill, women who had suffered in silence on the job filed a record number of sexual harassment complaints. Sexual harassment rules were tightened or rewritten in businesses and in government. The year following Hill’s testimony, 1992, was hailed as “the year of the woman” as a record number of women were elected to Congress, thanks largely to “the Anita Hill effect.”

The Hill/Thomas hearings also influenced more than half a dozen landmark political changes in the 1990s, among them sex discrimination and sexual harassment laws. Before Hill, women who proved sex discrimination could receive back pay and reinstatement to their jobs but no punitive damage awards, says Eleanor Smeal, president of the Feminist Majority Foundation. That changed when Congress revised the Civil Rights Act in 1991 – just one month after the hearings enabling jury trials and limited punitive cash damages for sex discrimination cases. In 1995, members of Congress passed the Government Accountability Act, finally making themselves subject to the same employment laws – including those governing sexual harassment – as the rest of the country.

And since the hearings, the Supreme Court has issued nine major decisions that more clearly define plaintiffs’ rights in sexual harassment cases. Before Hill – in fact, in its entire history – the court had ruled on only one such case, in 1986. In 1998, the EEOC, the agency Thomas had directed, settled its largest sexual harassment case – for a record $34 million – from Mitsubishi Motors in Normal, Illinois, where for years women had been subjected to vile acts and comments from male supervisors and colleagues.

Also significantly, the Hill/Thomas hearings helped shift the ethical standards for public officials. Before Hill, the sexual misconduct of powerful men often was considered a private weakness, not a matter of public concern. Anita Hill’s testimony made clear that, in fact, such sexual misbehavior was a serious abuse of power. As a result, in 1992, Oregon Republican Robert Packwood’s longtime sexual misconduct was exposed in The Washington Post, leading to his resignation from the Senate after the Judiciary Committee voted unanimously to expel him for abuse of power, including making inappropriate sexual advances to almost two dozen women. That same year, Senator Brock Adams, a Washington Democrat, resigned after a Washington newspaper reported allegations of widespread sexual misconduct with employees, including use of date-rape type drugs.

The “Anita Hill effect” may also explain why Bill Clinton was elected president in 1992, says Smeal. Women – many still angry at the first George Bush for nominating Thomas and
defending him so ruthlessly - provided the winning
margin in Clinton's elec-
tion. It may also explain
Clinton's impeachment for
lying under oath in the
Paula Jones sexual harass-
ment case.

Ironically, the same ef-
fect forced the resignations
of two key impeachment
backers, Republican House
leader Newt Gingrich and
his successor, Representa-
tive Robert Livingston,
after they got word that
their extramarital affairs
would soon be exposed by
investigative reporters hired
by Hustler magazine's
Larry Flynt.

HILL WAS SHELL-
shocked and emotion-
ally spent after com-
pleting her memoir and
deciding to leave the Uni-
versity of Oklahoma in
1997. Then she received a phone call.
Brandeis sociology professor Shillum Reinhartz,
then head of the women's studies
program, says she had read
Hill's "brilliant" book and
decided "we must bring her
to Brandeis."

Hill spent the fall of 1998 as a visiting professor
in the women's studies
program. The following
year she was offered a pro-
fessorship at Brandeis's
Heller School, where she
teaches one undergraduate
and two graduate courses
focusing on race, class, gen-
der, and sexual equality.
Hill says she still feels at
home at Brandeis, especially
considering its commitment
to social justice, and she
renewed her three-year con-
tact last spring.

Living in New En-
gland has enabled Hill
to start a new phase of life.
Like many transplants,
she's still trying to get used
to heavy Boston accents and
overly aggressive drivers.
Off the road, she finds people
here much more re-
served than those in Okla-
ahoma, where asking fellow
shoppers' opinions about
your shoes is considered
part of the shopping experi-
ence. She knows that New
Englanders' reserve "prob-
ably serves me well because
of my particular situation," but she's had to adjust.
"I've learned to live here. I
feel like it's home." Then,
in an almost metaphysical
aside, she adds, "For now!"

She bought a large
1887 house in Waltham,
perfect for welcoming visits
from family and friends and
decorated with African, Af-
rican-American, and Native
American art and family
photographs, says Tobin
Belzer, her first Brandeis
teaching assistant and now a
friend. Although she could
barely color as a child, Hill
says her love of art has
recently found expression in
her own drawings — por-
traits she works on in the
evenings.

The famed turquoise
linen suit, which she was
told inspired a line of suits
in Africa, is in her closet.
She's never worn it again.
The 20,000 letters she
received following the hear-
ings are stored in file cab-
nets in her basement, divid-
ed into pro and con. I
suggest a book, "Letters to
Anita Hill," but she's con-
cerned about exploiting the
excruciating pain many of
her correspondents shared.

Hill acknowledges that
finding a meaningful rela-
tionship "has been difficult
for me in the last few years,
especially with what I'm
noted for." Some men were
too engaged in this whole
celebrity issue," while oth-
ers denied it was "even
relevant." But a year ago,
she found love with a Wal-
thumb businessman, who
passed a threshold, she says
jokingly, when he told her
his mother was one of her
"biggest fans" and had
probably written one of
those letters.

"This is not the person
someone would have said,
'Oh, he's perfect for you,'"
Hill says. But she says he's
a serious world traveler who
studies the history and cul-
ture of places he visits
(Mongolia and Tibet re-
cently), and he has given her a more global perspective. She knows people will be curious about the color of his skin, but she prefers to let them wonder, “because it can be so easily misread” either way. What’s important is that “he has a generosity of spirit,” and “we have a wonderful relationship.”

Having lost and won back some of her privacy, that’s about as much as this famously reticent woman wants to reveal about her private life.

In her public life, Hill has a new academic orientation. Before the hearings, she taught international commercial law. After the hearings, she realized her heart lay in questions surrounding equality — and so her new position at the Heller School “reflects a good change, intellectually and I think spiritually.” She hopes she can help her students see not only the relationship between law and public policy but also law’s limitations — since, as her own experience showed, changing the law does not automatically lead to changes in culture.

In her academic research, she is now exploring how to achieve social and cultural change without painful and defining public moments, such as the one she lived through. Among her projects is a documentary on sexual harassment, tracing it to the days of slavery in America, when African women were routinely abused. But she’s been told she may be unable to raise funding, since in some circles she is still deemed too controversial, and there remains a fear that she is trying to reargue the hearings.

However, if the students in her classes (or their parents) expect Hill to provide chapter and verse on her own role in history, she will disappoint. She tells me she has no interest in being a “celebrity professor,” talk-

ON THE FIRST ANNIVERSARY of September 11, in her class “Race and the Law,” she asks undergraduate students to imagine whether the words of the US Constitution, written in 1787, would have been different if a white woman or an African-American woman or man had been allowed to help write it. As I listen, I can’t help thinking about analogous questions about the Hill-Thomas hearings, powerfully demonstrating how class, race, and gender shape public policy without most people realizing it.

What if female senators had served on the Judiciary Committee? Would one of them have questioned Thomas’s misleading but masterful “high-tech lynching” formulation, so, as Hill says, “you were either for him or for his lynching”? Would one of them have insisted that other witnesses with crucial information testify? What if Hill had been white instead of black? Or, as Hill asks, what if she had been married or, like Thomas, she had had powerful patrons such as the president of the United States and Senator John Danforth? With even one of these scenarios, she thinks — and many critics agree — the outcome might have been very different, for her and for the nation.

Was it worth it? I ask her. Instead of keeping a tally of the pros and cons, she thinks about it this way: “How would I feel about myself if I had never testified? Never written a statement? If I had just walked away?”

Tired Doctors

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sleep researchers are studying whether doctors’ grueling overnight shifts damage their health and lead to mistakes on the job.

Despite suspicions that tired doctors make mistakes, hospitals have always publicly resisted reform, claiming that long shifts actually protect patients. In July, though, the system may have to change, and some physician leaders are putting up a fight. Two powerful forces incisive research on medical errors and recent proposed federal legislation have driven the system toward decreasing work hours.

In 2000, the Institute of Medicine published a study called To Err Is Human, which estimated that thousands of sometimes lethal errors occur daily in US hospitals. Historically, doctors have attributed mistakes to individual carelessness (malpractice attorneys tend to think the same way). The Institute of Medicine, a private organization that advises the government on health matters, had a different take. Its study argued that though personal accountability plays a crucial role, systemic solutions have the most dramatic effect on patient safety. Computers, for example, can review drug orders and identify hazardous dosages. Lab researchers can predict doctors about patients with dangerously low electrolyte levels. The institute’s embarrassing report created a furor in hospitals, and in the search for culprits, many have pointed to physicians’ fatigue.

The other juggernaut of reform that could end the tradition of grueling shifts is the federal government. In November 2001, a bill establishing federal oversight of resident work hours was introduced in the US House of Representatives.