OUR NEW DAY BEGUN

An Interview on
FACE THE NATION
HERMAN: Commissioner Hooks, President Carter has now been in office approximately six months—half a year. How do you, and how does the NAACP see the President’s performance as it applies to civil rights?

MR. HOOKS: I think that the President’s performance is sort of a mixed bag. I have two brief answers to that question. The first one is that I’m going to the NAACP in a few days, and I would hate to be judged on the first six months, because I think it takes longer than that to really get the reins of power in your hand and get your program started. So President Carter, on the matter of appointments—Patricia Harris to the HUD, Cliff Alexander to the Army, Joseph to Under Secretary of Interior, Andy Young, and Green in the Labor Department—those have been fine appointments, and we like his emphasis on human rights. On the other hand, there comes the full employment section of the—of his program, and also the minimum wage—we’re a little dissatisfied, and there’s quite a bit of murmuring across the country. I think the NAACP has revealed some discontent, as I’ve gone to the meetings lately; so all I can say right now, it’s sort of a mixed bag, and by January 10, when I make my first report, I hope I’ll have a more definitive statement to make on it.

ANNOUNCER: From CBS News, Washington, a spontaneous and un-rehearsed news interview on FACE THE NATION, with the Executive Director-designate of the NAACP, Benjamin Hooks. Commissioner Hooks will be questioned by CBS News Law Correspondent Fred Graham; by Jack Nelson, Washington Bureau Chief of the Los Angeles Times; and by CBS News Correspondent George Herman.

HERMAN: Commissioner Hooks, is there some touchstone, some particular action which you have in mind which will tell you what you want to know about the Carter administration, something by which you can decide at the end of, say, a year’s time whether they are for you or against you?

MR. HOOKS: I think so. In the past, black people have had a particularly sensitive antenna for that kind of thing. The perception in the community was that Nixon was anti-black, whether he was or not, not only because he was a Republican, but because of certain policies he enunciated. Now this is a very difficult thing to understand in some ways initially, because during the time he was Vice President, he was very close to Martin King and many members of the civil rights movement. And by the same token, Johnson was perceived to be friendly, even before he, you know, had some legislation passed. So there’s a sort of a sensitive antenna that you get, and what I’m getting right now is a sort of a feeling that President Carter has not responded as much as many black folk thought he would—maybe our expectations were too high—so that, from that kind of sensitive feeling that’s not based on legislation or acts or speeches of words, but—I don’t know quite how to describe it, and I think that being out there with a lot of people, I’ll begin to get that feeling in about six months, whether we think he is doing a good job or whether we think he’s not.
NELSON: Can I ask you a question on another subject, Mr. Hooks? Mr. Hill, Herbert Hill, the National Labor Director of the NAACP, has said that organized labor, which has always been one of your strongest allies, is now so committed to the white male that it's really to the detriment of women and minorities. Do you believe that?

MR. HOOKS: No, not necessarily, and I hate to get into an open controversy with Mr. Hill—he's not here, but let me put it this way. There are a hundred million, I think, in the workforce of America, maybe 17 or 18 million in organized labor. We have problems all over the spectrum. Organized labor has been a very effective ally of the civil rights movement; we expect a continuation. But as Margaret Bush Wilson, our Chairperson, said in her opening address in St. Louis the other week, we have no permanent alliances which will defeat—which will deter us from our purpose. So we will have our coalitions with labor; we will form coalitions with business; whether it's necessary—maybe I'll get back to that in a moment—with any other kind of group—National Organization of Women, National Chamber of Commerce, National Association of Manufacturers—anybody else who is pursuing the goal that we're after at a particular time; so that we understand the seniority system that was upheld recently by the Supreme Court. After all, it was really a Supreme Court decision, and I wouldn't necessarily put that on the shoulders of organized labor. We will have some disputes with organized labor, but I would not call them our enemy at this point.

GRAHAM: Judge Hooks, you were talking about your antenna a few minutes ago, and your antenna told you earlier to oppose Griffin Bell as Attorney General. You asked the Senate not to confirm him. In view of his performance, would you take the same stand today?

MR. HOOKS: Actually, let me just separate myself a little bit; at the time that the decision was made to oppose Griffin Bell, I was not on board the NAACP as I am—not now, but I was so far removed from it that I refused absolutely to have any discussion at all about that.

GRAHAM: Well, do you think it was a mistake?

MR. HOOKS: No, I don't think it was a mistake. I think that wherever we perceive that an appointment is wrong, we have to make that decision and stand by it. I do think that Griffin Bell has conducted himself rather admirably, and I've seen our General Counsel, Nate Jones, make some very complimentary statements on him since that time. Because a man or a woman has had a bad record does not mean that they have to continue it, and I think that Griffin Bell, as Attorney General, is doing a remarkably good job at this point.

HERMAN: You said a moment ago, we will have some disputes with organized labor. What will they come over?

MR. HOOKS: Well, I'm not able to say. I just don't believe there's anybody in America that we won't have disputes with. I—you know, I don't want to take on the whole world at one time, but I'm simply trying to say that the NAACP has its own agenda, which is the elimination of discrimination and segregation in every aspect of American life. We don't think that labor is ever opposed to that as a general strategy, as a general goal, but along the way there may be times when we disagree—for instance, we may even disagree on minimum wage, as we think about the impact of a minimum wage law on teenage unemployment. We may have other differences which will not be—I don't think deep-rooted, but will simply differ from time to time over tactics that might be effective.
right to try to change those laws, just as black people tried to change the laws of the South years ago about separate drinking fountains.

Now, you know, the strange thing is that—and I’m jumping just to say this—that—I’ve almost become paranoid in the last six months. Every news show I’ve been on—and I’ve been on, I guess, literally hundreds, either by—incognito or on the phone—they keep asking me, what new strategy, what new direction do you have? So I’ve been doing a lot of thinking about that whole question. I’ve examined the history of the civil rights movement in this country, and the woman’s suffrage movement, other kinds of movements, and I came to the conclusion that court action, legislation or lobbying, direct action, which includes everything you want to say, or voting, education, participation and registration; education, conciliation and negotiation are the weapons that have traditionally been used by every organization I’ve ever read anything about. Today it’s being used by the National Council of Christians and Jews, the American Jewish Congress, the gay rights movement, the National Association of Manufacturers, the Chamber of Commerce, the American Civil Liberties Union, Common Cause, Ralph Nader—you name ‘em. Yet, when they do it, it’s all of a sudden news. But when the NAACP does it, it’s not news. If the same people do the same thing, it’s not news, but if new people use our tactics it becomes news. What I’m trying to suggest is that when you talk about the civil rights movement being in disarray, I think it’s really a perception that’s question. I’ve examined the history of the civil rights movement in this country, and it’s all of a sudden news. But when the NAACP does it, it’s not news. If the same people do the same thing, it’s not news, but if new people use our tactics it becomes news. What I’m trying to suggest is that when you talk about the civil rights movement being in disarray, I think it’s really a perception that’s not true, and it’s largely perceived that way because the news media, for reasons best known to themselves, do not focus in on the activities of the traditional civil rights organizations. If the National Organization of Women does the same thing that we are doing, it’ll get news media coverage. But when the NAACP does it, it doesn’t get coverage.

GRAHAM: Sir, speaking of President Carter, if—if Thurgood Marshall were to resign his Supreme Court seat next year when he becomes eligible—retire—I’m sorry, I mspoke; he’ll become eligible for retirement—would you consider it something you would expect, that a black person would be appointed to that vacancy?

MR. HOOKS: Absolutely, positively and unequivocally, yes.

GRAHAM: Has that become a black seat and you think it should always be held by a black person?

MR. HOOKS: Well, always is a long time. I hope that we—

GRAHAM: Well, traditionally.

MR. HOOKS: —we in this country will come to the place where we can—you know, the NAACP is working hard to put itself out of business. I don’t think it’s going to happen, unfortunately, in my lifetime; but to the extent that—the sensitivity and the need for the black person on the Supreme Court is higher than it ever has been, as far as I am concerned, because the Supreme Court will be, in the next few years, making many of the decisions which affect our whole way of life. And I think that—I don’t like to talk so much about the black seat, because it seems to raise hackles in certain quarters, but that we simply need the input of a black person in that seat for a long—in a seat on the Supreme Court for a long time to come.

GRAHAM: But don’t you think the women have a prior claim right now?

MR. HOOKS: I don’t know—when you say prior, why should it be prior?

GRAHAM: Well, they’ve never had a woman on the Supreme Court.

MR. HOOKS: Well, there are nine positions, and I’m sure they could get one of them without getting the one the black—

NELSON: Would you settle for a black woman?

MR. HOOKS: Well, I’d be happy then. We have some brilliant black women. In fact, I could send President Carter about 20 names today, if he should ask me for them—may send them if he doesn’t ask.

HERMAN: Let me take you back to the question of labor through the Supreme Court. When you were talking about the seniority decision the other day, you—just a moment ago, you were saying that it wasn’t really labor’s fault, it was the Supreme Court’s fault, because they made the decision on the seniority case. What do you feel about seniority? Is seniority—absolute seniority—is it anti-black? Should it be preserved? Should it be amended, so that pure seniority is amended to take care of blacks who have less seniority?

MR. HOOKS: Well, let me say this, that the Supreme Court decision—and I didn’t particularly say I didn’t fault labor; I’m not faulting the Supreme Court; I was simply trying to differentiate between—

HERMAN: I understand.

MR. HOOKS: —who was responsible. This was a case involving an over-the-road-truck driver—

HERMAN: Well, let me say—do you agree with the Supreme Court?

MR. HOOKS: Absolutely not. I agree with Thurgood Marshall’s dissent in that case, and he dissented very eloquently. But the—even the majority, as I—I and I have not had a chance to read this decision in a fly-speaking way, as I would like to do—seemed to indicate this was not a constitutional decision as much as it was the interpretation of legislation—so that we still have the opportunity to go into the Congress and try to get legislation, although I must say that with this overwhelming Democratic Congress, I’ve not seen the kind of liberalism that I expected to see in many of the social and civil rights issues; so that I—the whole question of seniority versus affirmative hiring is a very thorny thicket, and very frankly, it would take longer than I have to express my full thought on it, but let me try to put it in capsule form.

HERMAN: Please.

MR. HOOKS: We believe that an accommodation can and must be reached between firing people who were last hired because of affirmative action, and respecting seniority; and we think that can be done through some legislative methods. And even though I’m not at the NAACP now, I have called on four or five outstanding scholars—whom I consider to be outstanding scholars—to
help me, you know, to prepare such a bill. And I—I'm not sure it can be done, but I—from the discussions I've had, I think it can be done, because there must be some protection—after all, there are two and a half million black people in organized labor, and we are concerned about their rights of seniority as well. So there's a middle ground yet to be reached, which I don't think has been reached, and which we will try to work on.

HERMAN: This would be some kind of a temporary cure which would evaporate when blacks are in representative numbers in the labor market?

MR. HOOKS: I think that's correct.

GRAHAM: Well, then, I think the point that George was going at, has something to do with, from the viewpoint of the white person who might be bumped or disadvantaged in some way, because of some such adjustment in the seniority system and I think it does get us to the Bakke question that we were talking about earlier, and that is the question of the Supreme Court—upcoming Supreme Court decisions on alleged reverse discrimination in the admission of people to medical school, professional schools, and others. And my question is this, in that case, as you know, Mr. Bakke, Alan Bakke, a white applicant to medical school in California, was refused a place, and the Court found because preference was given to blacks. What do you say to the Alan Bakke case specifically, the face of the matter is that they had a lot of special admission programs, those 16 spaces so-called reserved. I happen to believe that the Supreme Court does not have to write admission requirements for schools, and I think that the trustees of that school, and regents of that school, if they want to write that program correctly, can do so. I'm not altogether sure that the program was written correctly. But my basic answer to your question is this: I believe that any nation that has systematically excluded from the main stream of its life, people because of the color of their skin, or their name, or their background, or their religion, has a duty and obligation, both moral and pragmatic, to make some attempt to bring them in. I happen to be a veteran of World War II. When I went to the post office in Chicago, I automatically got five-point preference because I was a veteran. Somebody else who might have had a bad back, or bad eyesight lost that. That was a social decision that we made. If I had been wounded in action, and it mattered not whether it was in the rear or in the front, I'd gotten another five points. Now, if society can make a decision to give every veteran of the war five to ten points preference over other people simply because they're veterans, they can also decide that where they have—they did that because they took three years of my life, I'm telling you that they've taken nearly all of my life as a black person and I have no hesitation in saying I think this country owes black people some kind of remedial action, and I stand for it absolutely and completely.

NELSON: Mr. Hooks, let me ask you a question on another subject—

HERMAN: Can I finish this one first, because I must say that was a long and eloquent answer, Commissioner, but I think you're a little bit off the exact nature of what Fred was asking you. The problem that I think Fred was after, and that we all worry about, is making those 16 places out of a hundred or whatever it was available to black students of lower marks. Now that poses a problem. You know there's an old sort of a bad joke about—

MR. HOOKS: It poses a problem to anybody who has a hangup about his marks, and we've got a lot of studies to show that there's no necessary correlation between achievement in life or medicine, or law, between brilliant scholars and those who are plodders. I don't think that an I.Q. test is the only admission standard which you ought to have and we've suddenly hung onto that—that's another hangup. This boy had a high score. Well, the devil with it! Suppose he did have a high score. I know a lot of Ph.D.'s in prison. I know a lot of erratic, brilliant people. So, what I'm saying is that a high test mark is not the only answer. So as far as I'm concerned, I demolish that in my mind because I think there's a whole series of tests that can be administered and that
just having the highest score is not the answer. First of all, Bakke was an old man. They have a rule there that we don’t want to take people and waste the taxpayer’s money on a doctor who will be 42 by the time he comes out. Maybe that’s wrong but that’s what they had, so I’m saying that many other things—

HERMAN: If there’s a whole battery of tests, whatever tests you may decide, and in that whole battery of tests that you may have decided on, the 16 or some of the 16 blacks score lower, should that—some of those 16 places then go to whites?

MR. HOOKS: Well, a theoretical question, I guess, deserves a theoretical answer, and I say that this society—I try to make that clear—I’m not backing up from what I said—this society is responsible for crippling black people over a period from 1619 to this good day. For two hundred years, we’ve been talking about all men are created equal and we haven’t meant it, and I think this society has as much obligation to those of us who are black citizens as it did to fly coal to Berlin to help those who had destroyed—vowed to destroy our country—they have as much right as they did to help Tokyo and Japan after World War II. This country owes an obligation to the black citizens who’ve been with it in-season and out of season, who have been mistreated and brutalized. And that’s one of the reasons why, just to change the subject a minute, that I say we may form some alliances with business because we understand, most of us in NAACP are environmentally conscious; we’re conscious of ecology, ecological considerations, but we also want some jobs. There may be many instances where we will be trying to work with businesses in creating a climate of jobs while we take care of the environment of the future. There may be instances where we get a little bit tired of the hypocrisy of America, where we try to impose our standards on all the deals of American businessmen with foreign nations. You know, we’ve got—I’m from the Judeo-Christian heritage, but I don’t think that what we believe in America has to be applied across the board everywhere. I’m against businessmen who are racists in their outlook, but to the extent that the government harasses some businesses and prevents the jobs from being created where black folk and poor people can get a chance, I’ll have to deal with that. So my answer to you is that this country owes us something. I don’t think it ought to be an unreasonable burden, and I’m not saying that we ought to unreasonably discriminate against whites because after all, you are the majority, but I’m saying that this country does owe something to those who have been historically disadvantaged because of law, rule, custom.

NELSON: Let me ask you very quickly about someone you know very well—Andrew Young. You served for years with him on the Board of the Southern Christian Leadership Conference, I believe, and you’ve known him for years. Now, as the U.N. Ambassador he’s been very outspoken, very controversial, and frankly, he’s been criticized quite a bit. A number of politicians have said that they think he has political ambitions; he may want to be the first black President.

MR. HOOKS: Nothing wrong with political ambitions.

NELSON: I’m not saying there is, but what I was going to ask you is, how do you assess his performance as U.N. Ambassador, and do you think he has further political ambitions?

MR. HOOKS: I think Andy Young has done a tremendous job. I think he’s brought a breath of truth into the world, and as I look at the muddled world situation and see how bad things are, I fail to see how Andy Young could make them any worse. In fact, I think all the secrecy and diplomacy has been negative. I think what he’s doing is marvelous, and I hope that he does have further political ambitions, and I’d be glad to support him for Vice-President, or President, or whatever else he wants to run for. I think he’s a remarkable human being.

GRAHAM: Sir, another one of your former friends, the late Dr. Martin Luther King—do you believe there was a conspiracy in that assassination?

MR. HOOKS: I believe that James Earl Ray pulled the trigger. I believe that somebody probably paid him to do it and helped him in his get-away. How big the conspiracy is, I did not fall for the idea that that escape from that prison was part of a conspiracy—just the man in wanted out. I’m not big on conspiracy theory to the extent that there’s a great big, you know, secret thing that involves the government or the CIA, but I do think there were people, a lot of people in this country, wanted to kill Dr. King, and I’m sure that Ray was probably paid by somebody to do it and was helped in his escape by somebody else.

HERMAN: Very little time left. Could you give a sort of a yes or no answer to the question: Can Hewey Newton get a fair trial in this country?

MR. HOOKS: Yes, he can. He may not get one, but he can.

HERMAN: Thank you very much, Mr. Hooks for being our guest on FACE THE NATION today.

ANNOUNCER: Today on FACE THE NATION, the Executive Director-designate of the NAACP, Benjamin Hooks, was interviewed by CBS News Law Correspondent Fred Graham, by Jack Nelson, Washington Bureau Chief of The Los Angeles Times, and by CBS News Correspondent George Herman. Next week, the Chairman of the House Ad Hoc Committee on Energy, Congressman Thomas L. Ashley, will FACE THE NATION.