

Senator HATCH. Mr. Hooks, we will turn to you at this point.

#### STATEMENT OF BENJAMIN L. HOOKS

Mr. HOOKS. Mr. Chairman, my name is Ben Hooks, and I am the chairman of the Leadership Conference on Civil Rights, a coalition of more than 185 groups.

I would like to just reserve a minute for my good friend and general counsel for the Leadership Council, Mr. Joe Rauh.

I am a lawyer, a former judge, and it is not easy to oppose here, to oppose a confirmation for a Chief Justice. I have looked at Mr. Rehnquist's record.

In the 1950's, he wrote a memo to Justice Jackson advocating, I believe, the continuation of *Plessy v. Ferguson*, stating in another memo that the Court could not deal with all of these questions where white people in the South hated black people. He did argue as a law clerk for those positions. In the sixties, we find him in Phoenix. In 1964, he testified against public accommodations in Phoenix. The next day when it passed, he wrote a letter to the local newspaper in which he said you will be sorry.

In 1965, he appeared before the State legislature arguing against the public accommodations law. In 1967, in Phoenix, he appeared against school integration. In the 1970's, we do not know exactly what he did, because the papers have not been forthcoming.

In 15 years on the Supreme Court, he has not achieved a better record.

I come from the South. I am 61 years old. I have spent two-thirds of my life in a segregated society and scarcely more than 20 years in a supposedly integrated society. Most of the people I know in the South, white politicians, Congress persons, mayors, Senators, have said the same thing that Justice Rehnquist said. I do not hold against him those things simply because he said them. But what bothers me is that he apparently has not changed.

If eternal vigilance is the price of liberty, then duty dictates, common sense demands, and prudence mandates that we testify against his nomination.

[Statement follows:]