

witnesses say that they would rather not have an African-American who doesn't stand for their values than have a non-African-American who does stand for their values.

But we have a projection of a likelihood of having a Republican President for some time in the future and I, for one, think diversity is very important on the Court. That means an African-American on the Court.

Now, in this balance, all these factors in mind, why reject this man who has at least a likelihood, a possibility, of a voice on that Court to tell what it is like as an African-American—the feelings about *Dred Scott* and slavery, and the African-American defendants? Why not go that route?

Reverend BROWN. Well, Senator, at this point I say that he has not given me conclusive evidence that he is freed from the ideology that he has espoused, the political alliances that he has maintained, and he has felt comfortable with this climate that is prevalent in this country today.

Second, one man, as I said in my statement, on that Court, though he may be an African-American, in our estimation, will not make any difference at all. The Court is already stacked, and we all know what has been going on historically for the last 10 years.

And I might say here that our concern is to be right. We are not concerned about winning a battle here. As ministers of the church of Jesus Christ, it is our moral obligation to be right, to do justly, to love mercy, and to walk humbly with our God. And then we must keep in mind that before Justice Marshall went on the Court, though he did do a great, outstanding job, we as African-Americans made it. We were able to make a way out of no way. God is still on our side.

The end will not come if there is not a black on that Court, but we have the moral responsibility to stand up and to speak out as prophets and not as politicians, Senator Thurmond. The prophet speaks, words fall, that justice may roll down like waters and righteousness as a perennial stream.

Senator SPECTER. Well, thank you, Reverend Brown. My time is up. I don't think we can find conclusive evidence on anything. I don't think we can do that, and I would feel a lot more comfortable having somebody in that conference room who understands African America.

Reverend BROWN. Well, he is indicating he doesn't understand. He has misrepresented our history, he has also misrepresented the NAACP's position, suggesting that we were only interested in civil rights, while he hasn't read possibly the works of W.E. DuBois, James Weldon Johnson, Benjamin Elijah Mays, and many others who spoke about taking initiative, who spoke about self-help, but they were not so naive that they did not realize the nature of systemic racism that had to be attacked in a frontal way by governmental intervention, the same as we had governmental intervention when we established these land grant colleges that excluded black people for years. That was the Government intervening.

When we look at the Soil Bank Program, where brother Eastland and Stennis from Mississippi and others have benefited from, that is governmental intervention. The S&L's, that was governmental intervention. So, this is the thing that concerns us greatly, as to

how he comes down as regards solving the problem. He does a good job, a commendable job of defining the problem.

He can do a great job of stating the antithesis of the ugly, nasty situations. He could talk about what the ideal ought to be in this Nation. But when it comes to raising the relevant questions and saying how do you do it, that is where he falls down. It is not an either/or matter, it is both/and, and that has been the position of the NAACP and the black church ever since we have been in this Nation, and he has misrepresented that or permitted his friends to misrepresent him on that point.

The CHAIRMAN. Thank you very much, Reverend.

Reverend LE MONE. Mr. Chairman, might I have a word, please?

The CHAIRMAN. No. I will tell you how you can do it, so we are under the rules and I do not get nailed here. I am going to yield to the Senator from Illinois, and I am sure he will give you a word and you can talk then, otherwise I will not be playing by the rules here.

The Senator from Illinois.

Senator SIMON. Thank you very much.

First of all, I thank all three of you. Judge Hooks, this is a good time to say, as a member of the NAACP, that we are very proud of your courageous and effective leadership.

Mr. Hooks. Thank you, Senator.

Senator SIMON. I don't know that I have said that in a public forum before, but you have been the kind of a leader in the tradition going back to when I first joined as a student. Walter White was the leader, and you go through that tier of leadership and you bring honor to that position that you hold.

Mr. Hooks. Thank you.

Senator SIMON. Reverend Brown, one of my colleagues said you sound more like a politician than a preacher. I am sure they said the same thing to the Prophet Amos.

Reverend BROWN. Yes, sir.

Senator SIMON. I remember they said the same thing to Martin Luther King. The church has to be the servant church.

The CHAIRMAN. He has put you in fast company, Reverend Brown. [Laughter.]

Senator SIMON. I might add, I would like to hear you preach sometime on the basis of this little preview we got this morning. But the church was audibly silent in Germany when Hitler rose, when they should have been standing up, and it would be the easiest thing in the world for you to sit back and not say anything. Just as one person—and I am not a member of your organization—I appreciate it.

Reverend Le Mone, in your thoughtful statement, you said something about how you were taking a stand in opposition until or unless you heard statements from the nominee that would convince you to the contrary.

If I could ask all three of you this, have you heard anything in Judge Thomas' testimony that makes you wonder whether you took the right stand or not or has caused you to in any way feel that you might have made a mistake?

Reverend LE MONE. I would like to go first, if you don't mind, Senator Simon.