

READ: The transcript of the October 1975 NPR interview with Sens. Joe Biden and Edward Brooke

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The following is a transcript of an October 1975 NPR interview between host David Ensor and then-Sens. Joe Biden, D-Del., and Edward Brooke, R-Mass.:

ENSOR: Anti-busing vote in the Senate late last month was a historic first that leaves a number of questions about the future. The usual opponents of busing were, for the first time, joined by half a dozen liberal Senators to approve by 50 to 43 language that was designed to cut back HEW's role in the use of busing to achieve racial desegregation of schools. There's disagreement about what the language means in practical terms, but Assistant Secretary Stephen Kurzman says he's reading it to prohibit the department from requiring the implementation of any desegregation plan involving transportation of students unless transportation is required by court order. But HEW officials say that, while they do require desegregation plans of some school districts with the threat of loss of federal money, they don't require busing per se, so redistricting, use of magnet

schools, rearranging classes, and the like can be used, and if they get classes integrated enough to satisfy the courts without the use of busing then that's fine with HEW. So department officials don't think the new Senate language changes all that much. But even if what the Senate passed never becomes law or has little or no effect itself on the number of schoolchildren bused, the vote is significant. If the new anti-busing coalition holds together, there will be more votes like it. Practically every opportunity they get the House passes anti-busing language of one kind or another, and President Ford takes every chance to utter it, all of which raises the possibility of constitutional tests to come and, to jubilant anti-busers at least, the possibility of a constitutional amendment banning busing. But most observers agree with Massachusetts Republican Edward Brooke, who led opposition to the language during the Senate debate, that there's no real chance of a change to the Constitution. Brooke thinks the vote was a fluke in many ways and came at a particularly bad time.

BROOKE: You know, we're going through a period, they've been seeing on the television in Boston, Louisville, primarily recently. You know that was day after day after day, and, uh, the — what that was doing emotional — and people who are the great middle don't even have [inaudible]. My God, it's tearing the country apart. That realized that all the change that has taken place in this country, race relations, has not come easily. We've had that. I've seen it. I've lived long enough. We

have a much younger country today. Many of them don't remember what happened when we stopped riding, you know, the segregated trains and the buses and the civil rights movement of the '60s and, uh, Martin Luther King and all that went on to achieve, the great strides we have achieved.

ENSOR: 32-year-old liberal Democrat Joseph Biden of Delaware led the fight for his anti-busing amendment, which was tacked on the latest labor HEW appropriations bill. He says he did it because busing just isn't working, and he's afraid his older liberal colleagues are blind to that fact and to how a lot of blacks feel about their children being bused to white schools.

BIDEN: There are those of we social planners who think somehow that if we just subrogate man's individual characteristics and traits by making sure that a presently a heterogeneous society becomes a totally homogeneous society that somehow we're going to solve our social ills. And quite to the contrary, I think the concept of busing, which implicit in that concept is the question you just asked or the statement within the question you just asked, that we are going to integrate people so that they all have the same access and they learn to grow up with one another and all the rest is a rejection of the whole movement of black pride, is a rejection of the entire black awareness concept where black is beautiful, black culture should be studied, and the cultural awareness of the importance of their own

identity, their own individuality. And I think that's a healthy, solid proposal.

ENSOR: But Brooke says the great majority of blacks in Boston, now in its second year of federal-court-ordered busing to desegregate schools, believe in desegregated education for their children and realize it won't exist, given present housing patterns, without the use of busing. There may be a few black separatists, but they are a minority in Boston and in the country, according to Brooke. So how did Biden get Sens. Mansfield, Jackson, Eagleton, Simonton, Nelson, Magnusson, and others to stray from the pro-busing bloc on crucial votes? Or maybe one should ask, if they were wavering on the question, why haven't they voted against busing before? For fear of being misunderstood, Biden says.

BIDEN: I think that part of the reason why much of this has not developed, much of the change has not developed, is because it has been an issue that has been in the hands of the racist, and we liberals have out-of-hand rejected it because, if George Wallace is for it, it must be bad. And so we haven't really looked at it. Now there's a confluence of streams. There is academic ferment against it. Not majority, but academic ferment against it. There are young blacks and young white leaders against it. There is social unrest, which highlights it. And now the Hubert Humphreys of the Senate might be required to go back and relook like they didn't look in the past at it. Uh, maybe he has gone back and looked at it. I — You

know, I'm not implying that Hubert Humphrey did this just out of hand, but I know myself to make the transition of how do I legislate it specifically? Give you my word as a Biden, I put in over 100 hours by far, I would say close to 300 hours on just torturing this thing, meeting with leaders, meeting with the people on my staff, calling my staff together, um, uh, and the blacks in my staff together, saying, "Now, look, this is what I think. Do you think I am? I mean, is there something in me that deep-seated that I don't know? What do you —" I mean it really is a hard, hard thing, especially when you've pictured yourself and been pictured by others, even though you have a short career, by your peers as being someone who, you know, has been out front the other way. I met — In law school, I was considered a raging liberal. Uh, as a lawyer, I'm considered, you know, a, you know, I'm — Gee, I must be wacky. Who'd represent anybody a member of the Black Panthers?

ENSOR: So Biden, who was elected to the Senate in 1972, sees himself as doing something that's tough to do, but may be even tougher for his senior liberal colleagues. He said he questions the value of what he called "knee-jerk liberal responses," and he pictures himself as a new type liberal who doesn't assume anything and looks for practical, working solutions. "I admire the hell out of Gov. Brown of California," he said, "for not just throwing money after problems." But Sen. Brooke is impatient with such talk.

BROOKE: I don't think it's a new liberalism

to say that, you know, you can't support busing. And I don't feel that I'm that wedded to it, that I, you know, that I've lost perspective. Uh, I've never been an advocate of just busing per se or wholesale busing. "Well, he can be against busing, uh...but can he – can he be against the Constitution as a liberal?" I mean, "Can he be against the law? Can he be against the goal of desegregation if, say, busing is the only means of achieving it?" If all these other means fail and busing is the only one left, is busing per se something that is wrong? Obviously not if 60, 40 percent of the children ride buses. Actually, more than 40 percent ride buses to school every day. If it is used, he's not against it for consolidation of schools, obviously he's against it for the desegregation of schools.

ENSOR: What Brooke means by consolidation is where, for example, a group of one-room rural school houses are combined and their students are bused to a bigger central school. "What about a constitutional amendment?" I asked Biden. "Isn't that what you're gonna have to end up supporting if you want to stop court ordered busing, too?"

BIDEN: That would clearly do it. I'm hopeful, and I have — now that I have some sort of new allies in this area, it's become respectable now for liberals to at least say publicly what they've been saying in private, that busing doesn't work. We are trying to figure out whether or not we can up with an innovative piece of legislation which would limit the remedy, and I don't — honestly don't know

whether we can come up with something constitutional. And if we can't, I will not in an attempt to eliminate busing violate the Constitution. I won't do that. The only way, if I'm gonna go at it, I'm gonna go at it through a constitutional amendment if it can't be done through a piece of legislation.

ENSOR: Again, Brooke is skeptical. Amending the Constitution needs two-thirds votes and state ratifications, the kind of overwhelming support even Biden admits he doesn't have at present.

BROOKE: It's not easy to come by a constitutional amendment. And then, you know, it's just like anything else. The long it goes — the less people say, "Well, this isn't as bad as it — Nothing is ever as bad as it seems." I've found that. There were a lot of people worried when I came. "What's gonna happen to the United States Senate when he comes here?" Some [inaudible] that — that question was asked of the leaders there. "What — what we're gonna do? Gonna change the whole way of life." Well, this has happened on everything.

ENSOR: The roughly \$36 billion labor HEW bill goes into House-Senate conference soon, probably this week. The White House has said Ford would veto the House bill because it's too much money, and the Senate bill goes even higher. Maybe, though, if the anti-busing language stays in the bill through conference, Ford might be tempted to sign it. This is David Ensor in Washington.