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RAMSEY CLARK ORAL HISTORY, INTERVIEW III

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Signed by Ramsey Clark on September 11, 1978

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ACCESSION NUMBER 79-35

### INTERVIEW III

DATE: March 21, 1969

INTERVIEWEE: RAMSEY CLARK

INTERVIEWER: HARRI BAKER

PLACE: His home in Falls Church, Virginia

Tape 1 of 1

B: This is a continuation of the interview with Ramsey Clark.

Sir, we left the civil rights story in the summer of '65 before the outbreak in Watts and Los Angeles. Could you pick up the story there and go on?

C: The Watts riots began August 11, '65. The federal government really had not been involved in, and had only casually observed, riots that were rather substantial in 1964. For some reasons, perhaps good reasons, at that time they didn't seem really a responsibility of the federal government. Only the week before August 11, '65, and what must have been the most impressive single civil rights ceremony of the Johnson Administration, the President, under the Capitol dome with the area there filled with the nation's leadership including what was then a highly, comparatively unified civil rights movement containing all of the big six--the Student Non-Violent Coordinating Committee, for instance, was still participating--had signed the Voting Rights Act of 1965. This had followed the Selma-Montgomery march, an era of maximum buoyance probably in the optimism of the civil rights leadership in its movement, so Watts really stunned the country.

B: Did those of you in the Justice Department have no hint that this kind of thing might occur, not necessarily Watts specifically, but urban riots generally?

C: Well, we certainly had hints. I can't say that we felt any real sense of responsibility though and I well remember on the eleventh, to show you our state of mind, the Attorney General was up at Martha's Vineyard and the executive assistant, Harold Reis--I was deputy attorney general and acting in the absence of the Attorney General--Harold Reis, who was the executive assistant to the Attorney General, came running into the office and said that there was a major riot going on in Los Angeles, and hundreds of cars were being burned. And I said, "That can't be. There must be a great distortion in the communication of the facts, and that just can't be." Before that evening was over, while it had not been true that there were hundreds of cars burning, I was quite satisfied that there was a lot of burning and destruction going on.

The riots continued through about the fourteenth. Governor Brown was in Greece. Efforts were made to get him back, and he came into New York and down

through Washington on his way to California. Lieutenant Governor Anderson, I think that was his name, was more or less in charge and because no one had really come to grips with this potential, on two days during the riots he went some place to make a luncheon speech. As I recall, one was in the Long Beach area and one was in San Francisco. The California National Guard was mobilized and put on the streets slowly; there had been a summer training program going on and men were driven down from some place about a hundred miles north, as I recall. Otherwise, they wouldn't have arrived nearly so quickly. We mobilized some federal troops. My recollection is that the units that were alerted were thousands of miles away. The one I specifically remember was in eastern Washington near Spokane, where we had about a thousand men alerted. And then I think there were some men in Colorado that were alerted.

B: Did you set up in the Justice Department or the White House a kind of watching post that was later used?

C: Yes. We set up in the Deputy's office a center that operated twenty-four hours a day for probably nearly a week. The reverberations from a cataclysm like Watts are felt all through the country, and you can sense tensions rising and psychological warfare sets in so that people all around are making threats and fear is a major factor.

Before the observation post was closed down, I had been sent to Watts as the head of a federal task force.

B: Was that at Mr. Johnson's instructions or Mr. Katzenbach's?

C: That was at the President's instructions. We had met in the White House, and I'd say thirty people with White House staff--the people being high officials of federal agencies that had programs of operations in ghetto areas. As a result of that, the task force was created and I was the head, and Andy, Andrew Brimmer who was assistant secretary of commerce and later appointed by President Johnson to the Federal Reserve Board, was one deputy and Jack Conway, who was I think the deputy director of the Office of Economic Opportunity at the time--I'm sure he was, was the other.

B: You might make it clear here. This is not the same group as the later group which conducted a full-scale study of the Watts area. This is an immediate task force that's going out.

C: This is a task force that went out. We got there well before the end of August and spent eight or ten days and were back in Washington before Labor Day. One of the purposes was to endeavor to expedite federal relief programs and be sure that the federal government met all of its responsibilities.

B: Could you tell if Mr. Johnson shared the same sense of shock that you mentioned the

Justice Department people had?

- C: Well, unquestionably he did. I think the whole nation was surprised and shocked; we just simply hadn't seen the warnings. The task force included direct liaison with assistant secretaries in virtually every agency that had anything going, so we had Agriculture and Labor and HEW--we had the regional directors of those offices working directly with the task force. We pulled together all the federal programs and all of the applications that were pending and organized a group that involved about twenty-nine million dollars in federal expenditures which were rushed through.
- B: Did you ever face the question of whether or not this might be interpreted as encouraging rioting; that that kind of massive federal aid in obvious response to a riot might have adverse effects?
- C: Yes, this was really a major burden of the task force, and it gave us quite a split personality. The riot had, you know, just stunned and polarized the community there particularly, but also the nation. And there was great concern that what we would do might appear to reward rioters. Both the immediate and long range repercussions of such an impression would be very great. This lent a certain ambiguity to our mission. While we tried to emphasize that this was a problem-solving expedition effort, it would not generate a great expenditure. It would only make it more efficient and bring it more directly to the point of need more quickly.
- B: Did you find the Los Angeles and California authorities cooperative?
- C: Well, they were very anxious. On the way out I went by Sacramento and talked with Governor Brown. He designated several people that came down to Los Angeles with me and with whom we worked very closely. The very first day there I talked, and usually had either Brimmer or Conway or Roger Wilkins, who was the deputy director of the Community Relations Service at the time, with me, with the mayor, with the chief of police, Chief Parker, and the leadership of his police department, the sheriff's office, Sheriff Pitchess, with the county commissioners--all of them present, and their chiefs of departments, welfare, and all this. We had special meetings with the school board officials and the superintendent of schools. As an aftermath of something like that, we provided funds for closed circuit television for teacher training, since schools were going to open in about two weeks, and there was great concern that the effects of the riots would slop over into schools; that there would be turbulence all through schools; that teachers wouldn't know what to do or how to deal with it. And the only way to really get your training effectively through to so many teachers so quickly would be through closed circuit television, which was placed in, I suppose, scores of schools--I don't remember the numbers.

We met from the very first day for many hours every day with practically every

type of ghetto group and organization, and some just kind of gatherings of people that were completely unorganized. We went out to the churches and talked to people in churches; we went out to parks and talked to people in parks; and we'd go to houses and neighborhood youth centers, and just wherever a large number of people could be accumulated, to see what they were thinking, how they analyzed the riots and the cause of the riots. We prepared, when we got back, a rather comprehensive report. A lot of work went into the report. It analyzed all the problems and the solutions as we saw them of the Watts situation, both in the short run and the long run.

B: Were you the principal author of the report?

C: There were sections that I wrote, and there were sections that I rewrote. I spent many, many hours working with the people that were working directly on it. And virtually every major member of the task force except Jack Conway, who by this time was moving out of the federal service, participated quite heavily in the preparation for weeks. And it was actually printed up, and we had hundreds of copies, but a decision was made that was a source of great and rather . . . I should say continuing frustration to some of us, not to release it. So, in fact, that report was never released.

B: Who made the decision and why?

C: I think the President made the decision, and I think the reasons were several. One, the report didn't pull any punches; it demonstrated the existence of really immensely difficult problems in the fields of education, employment, housing, health, communications and public service; it was not tender in its treatment of many important interests. It had a section that dealt with community attitudes that was probably fairly shocking. I don't think of anything in the Kerner Commission report that endeavored quite as carefully to bring the voice of the people in the ghetto to print. And it's not a pleasant voice; they're very angry people. It may have been that the release of the report would have done more harm than good at that time.

Another factor, and the one that was given as the reason, was the appointment later but before our report was released--almost simultaneously with the time it would come out--of a commission by Governor Brown to study the entire matter. It was headed by John McCone, former head of the CIA and the deputy chairman, or whatever he was called was Warren Christopher, who later became deputy attorney general. It had many advantages; it was homefolks; it was local; it didn't have the coloration of a bunch of feds coming in and telling you, you know, what a poor situation you've got. And that report was quite well done, quite helpful.

Copies of our report were retained in a good many places in the government, primarily at the Bureau of the Budget. And I would say that the influence of the report in Budget Bureau approaches, in planning new programs in seeking better ways to

coordinate federal activities, was more extensive than could be readily suspected. I remember, you know three years later even, seeing direct lines from the report to new approach for handling kids during the summer, working with kids during the summer, things like that. It was a time of learning for us; it was a new world.

B: Did you then begin that fall to consciously reorient civil rights activities toward the urban areas in the northern areas?

C: The forces of nature were much more powerful than our conscious efforts, and they compelled it. At the same time, we realized that about the furthestest north we'd gotten before was Cambridge, Maryland, which was the scene of our big activity in the summer of '64; that we'd really been confined in the South; that we had looked at the civil rights problems basically as a southern problem; that we were approaching the year when half of the blacks of the nation would be out of the South, and that in fact the civil rights problems of the urban ghettos exceeded in their dimension anything that we were dealing with in the South. So beginning at that time and slowly thereafter, we sought new authority and we patterned a new conduct to reach the North.

We saw, for instance, employment very clearly from Watts and for the first time, because at Justice we were a bunch of lawyers; we weren't sociologists; we weren't city workers. We were lawyers, and our background had been far removed from poverty and unemployment and that sort of thing. Even men with labor law practice aren't concerned with unemployment; they're concerned with employment grievances. But we saw from Watts very clearly employment as a major element. The people said, "Jobs first. Give us jobs, and the rest will take care of itself." That's a pretty gross overstatement, but it has the element of truth in it--that you'll never have independence, and you'll never have the self-determination that you must have. If people are to be helped, they've got to help themselves. And for the most part, without jobs--without good jobs, without the ability to improve your employment status--.

So from there, I think clearly, in terms of development of programs in the department, we moved, but as government does, very slowly, toward a nationwide employment discrimination enforcement program. Actually it was 1967 before it could be considered significant. We didn't file our first employment suit under Title VII in the Civil Rights Act of '64 until the early spring of 1966. We didn't file our second employment suit in the history of the federal government, you know, based on racial discrimination, until the very late fall of 1966. It was after I had become acting attorney general. We filed about fourteen employment cases in '67, though we were telling ourselves we would try to have employment suits brought in every major urban area where there is a pattern of discrimination. And then in 1968 we filed several dozen, and we reached major cities throughout the country.

B: This was not a matter of needing new legislation, was it? The Civil Rights Act of '64 was

in your opinion enough?

- C: Well, it was not enough, but it was there and untested really and unused. It's hard to ask for more when you haven't developed what you have, although we did ask for more. We asked for cease and desist powers for the People Employment Opportunity Commission. And I think wisely so, because we knew from school desegregation that this country is much too big to hope to effect the rights of all of its people through the process of litigation. There are just not enough lawyers and not enough courts to do it. And you need a very powerful administrative mechanism that can reach hundreds and hundreds at a single time, and not just the very slow and cumbersome technique of filing one lawsuit and litigating it through years in the courts.
- B: Also that fall, wasn't there a major reorganization in which the Justice Department was given more responsibility for coordinating civil rights activities?
- C: Yes, at least there was . . . You know, there was a lot of talk about it. I'm afraid I'm a little vague on this now, but roughly the Vice President's office at that time had some general responsibility.
- B: Council on Equal Opportunities.
- C: That's right. He had brought Wiley Branton up from Atlanta, Georgia, and Branton was heading it up. And then for reasons that were never clear to me, they have stemmed in part from Watts, but I couldn't see that although in time they came very shortly after Watts, there was suddenly and really without any consultation with the Department of Justice an announcement of a major reorganization, so to speak, not in the legislative reorganization sense, but just in terms of a transfer of coordinating responsibilities to Justice.
- B: This did not originate in Justice?
- C: No, it didn't.
- B: It was the President?
- C: It came from the White House, and we weren't sure why. And it came without any real consultation. And to say that it came is something of a misstatement, because from the very beginning it was more a matter of word than deed. In fact, Justice never really developed a strong coordinating responsibility. We did under Title VI of the '64 act which vested in the executive agencies the power to withhold federal funds where they were being used in circumstances of racial discrimination. We developed an office for coordination there, and Dave Filvaroff and some others pioneered with that office, although I don't believe we ever had three men working on it for the entire government,

and it takes one hundred and fifty men in one agency to begin.

B: I was wondering--you were talking about employment opportunities and that, it seems, would be one of the main devices for increasing minority employment.

C: Well it is, the federal government. . . Its reach through federal programs and grants are very pervasive. But we didn't know enough about government and about its administration, and we didn't have the power to really substantially affect other agencies. In my experience, it is unrealistic to think that an attorney general with a bunch of lawyers in the Department of Justice can reach through, for instance, the secretary of labor and the assistant secretary that has jurisdiction over the United States Employment Service and reach in to the State Employment Commissions where the United States dollar pays one hundred percent of the salaries and really do anything. It's just unrealistic. It takes the strong commitment of the secretary; he lives with it; he knows what it is; he knows the personalities and the dynamics; it takes the strong commitment of the assistant secretary; it takes the staff of the Department of Labor which is in daily contact and communication and knows what is going on; and it takes constant pressure. The same is true of the Agricultural Extension Service. It's just utterly unrealistic to think that a bunch of lawyers at Justice can reach down into rural Arkansas and rural Alabama where there is almost complete segregation in the Extension Service while the Department of Agriculture--

(interruption)

B: You're implying that if such coordination is going to take place, it really has to be at the level of the President.

C: Well, I think you can coordinate. I think you can set up an information center, a small inspection service. I think you can use the powers of embarrassment and exposure and things like that from an office of coordination. You need to coordinate; you need to talk together; you need to know what each other is doing. But as far as push is concerned, as far as real pressure to get something done, it's hard for a secretary to do it in his own department realistically. To think that he can do it in another Department is, I think, contrary to the learnings of my experience, at least. You need muscle from the White House, but basically what you need is to develop commitments from the White House in the agencies to give a clear signal that this must be done. And then coordination--extensive coordination really can't be done from the White House--it's too busy a place; it has got too many issues. You rarely find until it becomes a department itself a continuous effective coordination or push from the White House. The handful of people comparatively that are there live from one crisis to the next, and to think that they will have the chance to continuously apply themselves to a particular problem is to think contrary to the fact and also probably to what should be. They can only work with it casually and part-time.

- B: Whose idea was it to move the Community Relations Service from Commerce to Justice? It occurred about this same time.
- C: Yes. The announcement occurred about this time. The fact didn't occur until, well, it was 1966 when we sent up the reorganization plan. The Department of Commerce was no home for the Community Relations Service. Everybody agreed to that. The next question was--where is the home? I think many in Justice felt that it really wasn't Justice. It's a little hard for the same hand to prosecute and conciliate.
- B: This was one of the major criticisms with the plan at its congressional hearings.
- C: That's right. I defended the plan; I testified in favor of it and worked hard for it. I really felt that it ought to be in Housing and Urban Development. At the same time I did not feel that Housing and Urban Development was ready for it. And therefore, it seemed to me that the real need was to find a temporary home where it could reside until the day that Housing and Urban Development was in control of itself and had a sense of mission and the power and the movement, and then place it there.

The history, as it came over, was interesting. I well remember the first meeting when they came over to visit with us; to say that there was real skepticism would be to put it very mildly. We looked awfully conservative to them. They had been independent, in fact, at Commerce. There was nothing there that related to anything they were doing, and under Governor Collins, who was quite a dominant and forceful personality, they had just had their own thing, and they hadn't worked with other people really.

- B: Actually, but that time, there wasn't anyone really in charge of it, was there? Wasn't Roger Wilkins sort of an acting director by then?
- C: No, there was a fellow named Calvin Keitle.
- B: Was he still with it when the sessions were going on?
- C: He was still with it, and the uncertainty as to his future was very considerable and very disturbing to him. This was an unsettling factor. Roger Wilkins was perhaps the dominant personality in power in the service at this time, but he was not the senior authority. Calvin was. And all through that fall and winter, this was a very uneasy time for them. They didn't know where they were going, or who their leader would be, what their future was, and nothing looked very promising. I think after they got over and after Roger Wilkins was nominated that things really started turning up roses. He was young, his credibility with all the Community Relations staff was of the highest order--they felt they knew him, and they had great confidence in him, and they knew what he stood for, and it was what they stood for. And he sold the Justice Department to the Community Relations Service. I think if we hadn't had someone who could have done that, it would

have been a very rough time.

B: Who was responsible for choosing him as the director after Mr. Keitle left?

C: I'm not sure I really know. Roger had become a very close friend of mine. I had seriously thought of trying to get him as an assistant deputy attorney general, and I urged strenuously that he be made the director of the Community Relations Service. Well, I certainly must have known him better than anyone in Justice because I had worked--the whole time we were in Watts, you know, we'd eat three meals a day together practically, and were together from six in the morning till midnight.

B: It had become an effective unit in the Justice Department?

C: The President was very fond of Roger Wilkins, and he had immense respect for Roy Wilkins, who is Roger Wilkins' uncle. And the President loved youth. He loved to see young people assume responsibility, and I would say that he got even greater pleasure out of seeing a young Negro assume responsibility. And Roger just looked awfully good and was awfully good, so that I am sure that this was something that came with real pleasure to the President.

B: Was it known at the time of his appointment that he believed the emphasis should be in the North rather than in the southern cities?

C: Yes, I think so.

B: Was his appointment indicative of a conscious shift to the northern areas?

C: Yes. All the days of Leroy Collins, you see, it was--. Well, actually Community Relations Service came into existence out of the experience at Birmingham during the summer of '63, things like that--

B: You mentioned earlier that you had recommended such a device in '63.

C: Right. Senator Harrison Williams and others had been working on it; President Johnson himself back in the late '50's had had something--I thought it was--. You know, I could see, among other things, how much it cost to take a handful of lawyers on a crisis basis who had other major responsibilities out of the Department of Justice and send them to Birmingham or send them to Tuscaloosa or send them some place, and really how, while a lawyer's a generalist and a pretty handy fellow, how poorly trained and equipped we were for this. Because we didn't have the contact; we didn't have the experience, and we didn't have, you know, the basic background that you'd want for this sort of service. And we needed a facility. There were times when it had the Deputy Attorney General and the Assistant Attorney General for Civil Rights and for Tax and for Land, and I can remember

days when we would have three assistant attorneys generals in Birmingham worrying about one little demonstration, at a time when we had this whole great country and all its litigation in the hands of, this handful of men. Well, some of that was necessary, but take September of '63 when the schools were opening, we had Nick Katzenbach and John Doar, Burke Marshall, Lou Oberdorfer, myself, John Douglas of the Civil Division, and a whole bunch of others. We had, you know, I'd say, close to a half of the top legal leadership for the Department of Justice all down in one state on a negotiation of law enforcement mix of business, and in the meantime things were just droning on in Washington, and it made no sense. You had to have specially trained and tailored resources for this purpose.

B: Did the Community Relations Service prove to be an effective unit? It was difficult to tell, the nature of the work and their statutory obligations kept them pretty quiet, but did they work well?

C: Well, I thought they performed remarkably. It's an entirely subjective judgment, I do not believe it would be possible to make an objective measurement.

B: You really can't. Their success is marked in what doesn't happen, I guess.

C: That's right, and they're invisible; particularly if they're performing as they should, they're invisible. One thing was always clear and that was that even as we left in '69, their resource was a very small fraction of what was needed. I had said many times, and I really believed, that if we could take the entire Community Relations Service which, say, number seventy professional people, the staff support, and put it to work just in Washington, D.C., not the whole country, you know, not Watts and Hough and Chicago and Harlem and the whole big country, but just Washington, D.C., then you could tell, given some time, then you could tell what really could be done.

B: Who was advising President Johnson civil rights, or to be more explicit about it, obviously Mr. Johnson had good connections with the big six, the established civil rights units and leaders. But at the same time we're talking about here, the civil rights movement is fragmenting, or those older units seem to be losing control of the population generally. Did Mr. Johnson himself have any lines to the ghetto areas, the more militant blacks?

C: No, he sure didn't. I suppose he had more than any other President has ever had, but, you know, to speak in terms really of the black ghetto, the deep ghetto, the civil rights leadership itself doesn't have any communication. The Student Non-Violent Coordinating Committee doesn't really have direct communications--clear communications, strong ties, or much influence with the deep ghetto. And the major leadership units, the Urban League and the NAACP and others are very, very remote from the hardest places.

After President Kennedy's assassination, President Johnson relied very heavily on

Burke Marshall and Nick Katzenbach in the civil rights area. He just really leaned on their judgment through '64 and into '65. Then he began to develop broader lines of communication and more far-ranging bases. The Poverty Program was starting and it had direct involvement. The number of black officials in government began increasing dramatically. The country needs to remember what President Johnson did in terms of bringing black people to responsible positions in government. In the judiciary he appointed more Negro judges than all the preceding presidents combined, several times over, literally. He put Negroes on the Supreme Court and the courts of appeals and the district courts, and the special courts. And in his Executive Branch, he had assistant secretaries and a secretary. Well, these men . . . you know, special assistant to the President, and all through government, really for the first time. There hadn't been anything approaching it. Well, as these men came in, as they assumed positions of leadership, their voice began to be heard in the civil rights area. And it was very helpful because it gave a much broader perspective.

B: Did the President rely on you for advice in that area too after you became acting attorney general?

C: Yes, I think he relied on me while I was deputy, and somewhat even before I was deputy. Unquestionably but, you know, not as a matter of chief reliance. I remember when Dr. King visited him at the White House in December of '64 he was particularly anxious that I get to meet Dr. King and see him and that we be identified together for purposes of future communications. And I remember in early January of '65 when Burke Marshall left that he asked me repeatedly about his succession, and John Doar was nominated with the very ardent support of the Attorney General-to-be and the Acting Attorney General, Nick Katzenbach and myself both. I think if either one of us had tended to look for someone else it would have made quite a difference, and there would have been some uncertainty as to what to do.

Then later, as we were forming our ideas for the Voting Rights Act, and the following year for Housing and these other things, he would call for my judgment quite substantially. But happily he had what a president must have, and that is a broad range of advice on a very difficult and broad-ranged problem. And this was essential because in the past the conditions made it reasonable, I guess, but the range of advice was fairly limited and it was by people of very good judgment fortunately, but no broad background in civil rights and an experience limited to the South.

B: Did you participate in the White House Conference on Civil Rights in June of '66?

C: I didn't participate formally. I participated, you know, very extensively in the preparation and the planning and the decision and in that we had kind of a trial run, in the trial run. And I attended a number of sessions, as I think I may have spoken--I'm sure I did, but I don't remember speaking formally, no address or anything like that.

- B: Some of the more militant blacks charged that the invitation list was rigged.
- C: Well, it wasn't rigged, but you only invite people that you know, and our acquaintanceship was very thin. It was middle class, upper middle class, and only secondarily, and through them generally, people really involved personally and daily in the misery of racism and poverty.
- B: Is that kind of meeting useful, really effective, or did it tend to be just a facade and a repetition of what has gone on before?
- C: Well, I think it helps. I think you can have too many, and I think you can come to treat them as an end in themselves rather than as a means to an end. But you need clarification, and you need a sense of direction, and you need a recommitment. And perhaps more than the rest, you need communication, just plain old communication, the opportunity for people to have their say--to try to understand what their point of view is and what they have in mind.
- B: Did you have an opportunity to see how Mr. Johnson got along personally with the civil rights leaders? Did he listen to them?
- C: Yes. He listened with greatest concern and open-mindedness all through '64 and '65 and '66 and '67. He wanted desperately, really, to learn and find out. And by and large, they--the civil rights leadership--loved President Johnson. His being a southerner was really a tremendous asset rather than a handicap--to have a man with a southern accent really concerned about civil rights meant a lot because black Americans have heard southern accents all through their history. Even today, most are still in the South. This was invaluable, and his border experience, and his experience with the Mexican-Americans, had somehow given him almost perfect element of content of compassion and concern and desire to help. So that if I could measure the heart and the emotion of black leadership, civil rights leadership, it felt profoundly grateful to President Johnson.
- B: Does that line of reasoning apply to you too, Mr. Clark--the efficacy of a southerner being involved in this kind of activity?
- C: Well, I think my timing was a little different. My arrival on the scene as a major force came--you know, I was involved earlier--but as a major force, came after the scene had shifted from the South to the North and the cities in the North. And then the communications that I sought to establish and the people that I sought to work with most were not the older generation, were not the civil rights leadership, were not the people who tended to have been born themselves in the South, but it was this much more difficult, young generation of northern-born blacks. And a southern accent is a terrible psychological barrier to many. I've had so many say that just hearing my voice almost

turns them off, you know, because they're just unwilling to listen to something that conjures up such emotion.

[End of Tape 1 of 1 and Interview III]