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CLARENCE MITCHELL ORAL HISTORY, INTERVIEW I

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By Clarence Mitchell

to the

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ACCESSION NUMBER 73-24

Interviewee: Clarence Mitchell

Interviewer: Thomas H. Baker

Date: April 30, 1969

Tape Number One

B: This is the interview with Clarence Mitchell, director of the Washington bureau of the NAACP.

Sir, you've been the director of the national bureau here since 1950. Do you recall when you first met Mr. Johnson, presumably during his years in the Senate?

M: Yes, actually the bureau is not a part of the local operation of our organization. It is a part of our national office and we work on problems in Congress and the executive agencies of government. My first knowledge of the President came when he was running for the Senate, and at that time I was talking to many people like Dr. Robert Weaver and Mrs. Mary McLeod Bethune, all of whom said that it would be a great thing if Texas could be represented by Mr. Johnson, in the Senate. They either knew him or knew about him, and felt that he was a real Roosevelt Democrat who would make a constructive contribution.

B: Were they that enthusiastic about Mr. Johnson, or were they more opposed to Coke Stevenson, his opponent?

M: My impression was that they were enthusiastic about Mr. Johnson. Mrs. Bethune, who was the head of what was then called the National Youth Administration, knew him personally and had a very high opinion of him. So I think they were really thinking of him as a new day in Texas politics. I was so much convinced about what they had in mind that some time after he became the Minority Leader I asked Senator Stuart Symington if he would arrange a meeting for me. Senator Symington and I have been friends for quite a number of years. And Senator Symington did arrange that meeting. This was my first close-up conversation with him [Johnson] about matters and I remember the content very vividly, but I don't remember too clearly the date. But it would be easy to fix that, since it was at the time when he became the Minority Leader. [early 1953]

B: What was the content of the meeting?

M: We talked about civil rights, and the need to make some progress on that in the area of legislation. He was very cordial. He said that he felt that things were improving in this country so that at some point the civil rights problem would be behind us. He quoted Maury Maverick, the former congressman from Texas--I knew him too, of course--he said that Maury had said, "If he had gone into a restaurant with a Negro ten years before the

date of our conversation, (that is, my conversation with Mr. Johnson) there would have been a fight. If he had gone in five years before, there would have been a lot of angry stares. If he went in with a Negro at the time of our conversation, nobody would pay any attention to it." I think Mr. Johnson was referring to the city of San Antonio. And he said, "This is an indication of how things are improving."

Then on the specific question of legislation, he said he believed in civil rights legislation, but he thought that it was unwise to try to get it through Congress because it would split the Democratic party. He thought that most of the Democrats were poor people and they needed legislation in the social welfare field. He said, "If you could keep the Democrats working together for social welfare legislation then they wouldn't get into these bruising fights in Congress. And the poor people generally would benefit on civil rights." He said he thought it was best to concentrate on court action and executive action, in order to avoid these party splitting fights in Congress. On the whole it was a very pleasant conversation; it just happened that my brother-in-law, who is now deceased, the Rev. Karl Downs, was the president of what we always called Sam Huston [Huston] College, which I understand in Texas they call Sam Huston [Huston] in Austin [Huston-Tillotson College], and Karl knew Mr. Johnson. In fact, Mr. Johnson was his congressman. And Mr. Johnson had gotten a building from the world's fair, I think it was a Belgian building, on the campus of my brother-in-law's college. So I felt we had a kind of a mutual bond between us, and also my knowledge of what people like Mrs. Bethune thought of him was quite helpful to me.

B: Was his reasoning that you quoted on not pressing for civil rights legislation convincing to you at that time?

M: Well, no--

B: I ask because it sounds like something that you must have heard many times before from others.

M: Indeed I had, and it didn't convince me, but it didn't annoy me either because I knew this was the standard Democratic party line. I also knew from the standpoint of the Democratic party that it made sense. If they could produce the kind of legislative results that all of the party members could go to their constituents and say "Look what we've accomplished," this would be undoubtedly the best of all worlds for somebody in political life. However, I felt in the area of civil rights legislation we could win, and I felt that it was essential that we would win. It seemed to me [that] to depend on court decisions and executive orders was not the way that would be completely sound, and for that reason I continued to press the point then and for a long time afterward. But I didn't do it in a way that represented animus because I felt that this was the reasoning of Democrats. Many of the colored Democrats reasoned that way too.

B: Did you have many more conversations with Mr. Johnson in the ensuing years? Did he call on you for help and you on him?

M: Yes--we had what for me was a continuing relationship. And I think he felt that way about it. Several times in conversations [he] referred to the fact that we have known each other for a long time, and we've differed but we've always been friends. And I must say that my personal admiration for him continued to grow. It might be a little difficult for some people who were living in that period to understand this, but the Southern contingent in Congress at that time was so hostile that when someone came in who was not hostile, you immediately felt that here was somebody you could respect and would like to work with, and would like to maintain their friendship. And we did continue to work together.

There were times when the relationship was strained, primarily because I had not learned the lesson that I think eventually I did learn, and I think I learned it because the President did a good job of teaching it to me. He often said in our conversations, "Clarence, you can get anything you want if you've got the votes. How many votes have you got?" And when he first started saying this, it was something that would cause hackles to rise, so far as I was concerned, but the more I thought about it the more I realized that this was the best advice that anybody could give, and I always tried to base my operations that way.

This was much more serious than many people thought. I found after I really considered his view, that all too often proponents of legislation would estimate what they had rather than count what they had. I remember one day we had a bill up in the Senate which to my best recollection was designed to in some way reprimand the Supreme Court for one of its decisions. And he had asked me to see what kind of strength we had on that, and I did make some checks. It turned out I didn't get many people that I thought would be with us, but there was one Senator who had indicated that while he wouldn't vote with us, he would be willing to pair with an absent Senator. At that time former Senator Earle Clements of Kentucky was acting as a kind of assistant whip and I was to report to him. I reported to him and he immediately went down to the floor. I assume he reported to Mr. Johnson, because Mr. Johnson called for a vote immediately, and the matter was won by one vote, which would have been lost if this Senator who paired with an absent Senator had cast his vote. So this was his way of doing things, and very few other people either then or now operate that way.

B: It sounds like you could maybe [be] called a part of the Johnson network in the Senate.

M: I don't know whether he ever defined it as that, but I did feel that it was important to try to maintain a relationship with him as the leader, and this was not always easy because his practical assessment of situations frequently put us on opposite sides. But I must say he never showed vindictiveness or intention to penalize because I would press the point. And

when he felt that we were together, he certainly indicated that I should talk with him. I remember once he called me down out of the Senate gallery about five o'clock in the morning, I think it was, and we had a conference as he was getting ready to retire. He had been up most of the night and this was an all-night filibuster, and we were discussing some things which he said he thought I ought to be doing. So he never hesitated to utilize people if he thought they would serve a constructive purpose; at least that's the way I look at it.

B: Then I suppose something of a climax in Mr. Johnson's Senatorial years would be the passage of the '57 civil rights bill. Could you describe his part in that as you saw it?

M: Yes. I recall that at that time we felt that--by we, I mean those of us in the civil rights group--felt that we ought to try to utilize the procedure which would permit us to bypass the senate committees and take up a bill directly on the Senate floor after it had passed the House. We were trying to utilize that procedure, as I remember, and a very hot Senate fight developed, which involved a technical question to whether the Senate could take up a bill without adjourning first. The Majority Leader handled it in such a way that some of the Senators who felt the Senate should adjourn seemed to think they have been given a kind of a short shrift. The Majority Leader, Mr. Johnson, was so confident that he had the votes to support his position that he permitted them to make the necessary motion to adjourn. My recollection is there was an adjournment, and then they attempted to execute the parliamentary move which they thought they could make and they were beaten very substantially. Only a handful of Senators, all of whom were our very good friends, voted for this. At that time there was pandemonium on the floor--and I, well, all sorts of recriminations and things of that sort--so I went down to the floor level and sent a card in for Senator Clifford Case of New Jersey, and I asked him if he would engage in a colloquy with Majority Leader, Mr. Johnson and the Minority Leader, Mr. Knowland, on the importance of civil rights legislation coming up in the next session of the Congress. And to try to extract from them a pledge that they would give it this kind of priority.

I knew both men well enough, I think I knew them well enough, to know that if they made such a promise they would keep it. And they did make that promise, and this is what enabled us really to be assured of action on civil rights legislation, because as soon as the next Congress convened we undertook to get that pledge honored and Mr. Johnson kept his word, and so did Mr. Knowland. I was asked by Congressional Quarterly at that time whether I thought this legislation would pass. I told them I felt it would. I said the reason I felt it would was because we really had bona fide pledges from the Majority and Minority Leaders. They took the trouble to check that story. I can't remember whether they talked with Mr. Johnson. I know they did talk with Mr. Knowland and did publish the story.

Well, it worked out exactly the way I thought it would, and I cite it only because it is a matter of record that I had confidence in the promise that was made.

B: Do you believe that Mr. Johnson figured that by then the time had come when civil rights could be passed without harming the Democratic party?

M: I think he was very reluctant. I'm not sure he thought it would pass. I think he believed that there was a lot of ground work that had to be done that was not being done. I think he felt that some people who were supposed to be for civil rights, really weren't for it, and therefore this meant the support was not as full as it ought to be.

However, he did have one overriding personal philosophy which was of great help to us. And that is, he said again and again that people should have the right to vote. This bill had in it a provision protecting the right to vote, so that this made him for it as a matter of principle. And I found then as well as now, that it was for something as a matter of principle, his ingenuity would take over and the seemingly impossible could be made possible. We had some very strong differences about the loss of some parts of the bill.

B: Part Three, particularly?

M: Part Three is the one. His view on that was, we didn't have the votes for it. He also felt that there ought to be a jury trial amendment on the bill which many of us felt should not be there, and we had some strong differences about that. But on the fundamental matter of protecting the right to vote, he was unequivocal and determined to get that through.

B: I was just going to ask--did you believe at the time that the bill could pass with Part Three intact and with the jury trial provision unchanged?

M: I felt that it could, and at that time I was not as thoroughly indoctrinated with his vote counting philosophy as I am now. So it's entirely possible that my count of the situation would not have been as good as his. But I really think that we could have won on it from my point of view. He said he felt we couldn't. It is no longer important whether we could or couldn't have done so because subsequently we have gotten everything we were after and largely because of his leadership.

But one indication of his skill on this was, in my judgment, he was responsible for preventing the kind of filibuster which would have made it necessary to invoke cloture. I don't profess to know how he accomplished this but I do know there was a bona fide, although apparently unwritten, agreement among members of the Senate that certain things were going to happen. And after these things happened the bill would pass without invoking cloture. One person who didn't cooperate on that was Senator [Strom] Thurmond, (D. 1957) (R. So. Car.) who staged this all-night filibuster, but the all-night filibuster didn't succeed primarily because the agreement, which I feel Mr. Johnson engineered--

B: "Certain things were going to happen," presumably referring to the elimination of Part

Three?

M: It is my opinion that this was one of the things that was in the understanding. It is also my opinion that the addition of the jury trial amendment was part of the understanding. But in fairness I will admit quite readily that I could not prove it.

B: There were many who said that at the time, those changes pretty much emasculated the bill.

M: I was not one of those.

B: What was left was essentially a voting rights act.

M: I thought that those who said that just didn't know what they were talking about. You see, my whole reasoning in trying to get this together was to break this awful notion that it would be necessary to revise the Senate rules before you could pass civil rights legislation. There were people at that time who would engage in a fight to change Senate rules, and immediately upon losing that fight they would say, "Well, there's no need trying to get civil rights legislation passed because we couldn't change the Senate rules." I always thought that was a tactical error and I never agreed to that. I always said, "In my judgment the Senate can do whatever it wants to do." In that, I was right in the Johnson line of reasoning.

Well, the package that was before the Congress came together, so far as I know, in this way. We had a sort of a stalemate in the Congress, with the Republicans standing on one side and the Democrats standing on the other, and neither really coming forward with a program that would be mutually acceptable to each other. I went to Herb Brownell, who was then the Attorney General, and explained the situation to him as I thought it was. I suggested to him that we ought to take parts of the message--rather the program--that President Truman had approved. Parts that I had suggested were the part dealing with the voting rights provision, the creation of a Civil Rights Commission, and the establishment of an Assistant Attorney General in charge of civil rights. Brownell himself thought of what became Part Three. So originally I had not asked for it, I guess primarily because I hadn't thought about it.

We felt that it was a tremendously important thing, though, and therefore we wanted it. But if one remembers what we had originally asked for did not include Part Three, it is clear that none of us who were working for this would have said that the bill was emasculated. Now the reason that story got out that the bill was emasculated, was this: The Republicans for some reasons wanted to wait on the legislation. I don't know whether they wanted to protect Brownell's position or whether they just thought we could do better. Whatever the reason was, some of the Republicans, and this was not Senator Knowland, because he was going along with what was left, but some of them came to me

and asked me if I would agree to say that we shouldn't press for this bill. I wouldn't make that agreement but then some people over at the White House got out a lot of telegrams to Negro leaders all over the country telling them that the bill was no good. Whereupon these people who hadn't read the bill began to make attacks on it. I, as I said, never joined in that and in fact vigorously contended the other way because it seemed to me if you could make a breakthrough, you could always move to a greater distance, and in addition it seemed to me that all three of these things having been recommended by this committee that President Truman had appointed were significant.

B: Sir, you're saying President Truman--you mean President Eisenhower?

M: No, you see--

B: Oh, recommendations from the previous administration?

M: Right. President Truman had convened a committee of distinguished citizens who presented to him a series of things which they thought would be helpful in improving civil rights in this country. He sent that over to Congress but Congress never did anything with it. On the change of Administration, I thought we at least had something that was backed by public opinion. That is why I took that particular thing to Brownell.

B: You said that the White House sent out telegrams to Negro leaders denigrating the bill. Did that represent President Eisenhower's stand, or was that an independent action of the White House staff?

M: No, it was the White House staff actually. And it's kind of a mystery to me as to why those who did it actually acted the way that they acted. I have the impression that President Eisenhower wasn't following the civil rights bill very closely and really didn't understand the significance of the loss of Part Three.

B: There was a press conference there in which as I recall, someone asked him about Part Three, and he said something like, "Is that what the bill needs?"

M: Well, he said there was something in the bill which he understood would require the use of troops to enforce, and he didn't like that so much. Thereafter he held a conference with Senator [Richard] Russell, who had made the charge on the floor that they could enforce at the point of a bayonet. Well, it was from that point on, a kind of a down-hill process for Part Three.

I must say that Senator Knowland was magnificent in that situation. He really fought right to the bitter end on it and when we lost he and I and Mr. Dompierre, who was on his staff at that time, were alone in that office which Senator Dirksen now occupies. [Minority Leader's] And it's kind of poignant to remember that big, strong,

brusque Knowland actually broke down and cried at the loss. So that he really deeply felt it.

The advantage we had, of course, once we got over that setback, was that he and Mr. Johnson were very good friends personally, and Senator Knowland asked me whether I thought it was worthwhile to continue the fight. I told him I certainly thought it was, and we did continue the fight.

B: The real problem must have been the Southern Senators who might have filibustered, as you said earlier. Somehow or other they must have been stopped from mounting a full-scale filibuster.

M: It's my opinion that there was worked out with Senator Russell an agreement of some kind which forestalled the filibuster. As I said, I wasn't there and I couldn't prove this, but I do know that after the Thurmond demonstration, there was a very, very fierce meeting of the Georgia delegation, in which all sorts of charges and countercharges were flung around. And Senator Russell took the position that if they hadn't handled the matter the way that it was handled, it's entirely possible that they would have gotten a worse bill, which from his standpoint undoubtedly would have meant including the Part Three.

B: That lends credence to your idea that maybe the whole bill could have been passed.

M: I have that impression that it could have been, but as I said, I was not as adept in counting the votes as the Majority Leader was, and there were many who felt that if we had gotten Part Three in it, the Republicans who voted to put Part Three in would thereafter have refused to support cloture if an effort had been made to invoke it. I'm confident that that would not have applied to Senator Knowland because you found whenever he gave his word, he kept it. I also believe that he would have been able to get enough of the Republicans to insure success, but that's sort of like Monday morning quarterbacking, you know.

B: After that, did you discuss with Mr. Johnson anytime fairly soon where you went next?

M: Yes. I can't remember how soon but it was shortly afterwards, and at that time he was talking about a program which would enable people to come together and try to iron out their differences under a kind of a conciliation program.

B: Would this be roughly what the Community Relations Service-

M: It is exactly what the Community Relations Service became, and my recollection is he had gotten this from Harvard University. I think Jerry Siegel was down here at that time. In any event, it was not a Southern product, it was a bona fide produce of people who assumed something constructive could be done. Later we had another kind of a

proposition and this of course was based on experiences of enforcing the voting rights bill, in which it was important to preserve the records of discriminatory voting action. I was not sure whether Mr. Johnson had thought of this himself, or whether the Justice Department had convinced him that was important, but whatever the reason, he was for it.

Then there were a lot of people who were contending something ought to be done to beef up our criminal statutes so that we could effectively investigate and prosecute bombings of churches and synagogues. He was for that. I felt that there ought to be some other things in the bill. As I remember, we were interested in protecting military personnel and fair employment and things of that sort. His response to that was of course as it always had been. If you've got the votes you can get anything you want. And he didn't believe we had the votes.

B: Did you discuss in these years anything like public accommodations or fair housing?

M: My recollection is that we did not. I wouldn't want to say absolutely that we did not, but I would think at that time we weren't expecting that we could get through fair housing legislation. I mean, fair housing or public accommodation legislation. I think our whole concentration at that time was on such things as fair employment legislation, anti-lynching legislation, voting rights legislation, and protection against discrimination in interstate commerce and travel. We were interested in protecting members of the Armed Services against violence in certain communities because they had many cases like that.

Now there was a real difference of opinion on how to make the voting rights statute effective. There were some people who felt that we ought to have what we ultimately got in the 1965 Act, and that is the right of the executive branch to appoint people serving to assist in registration. There were others who felt it would be sufficient to give to a federal judge the right to appoint referees to handle the voting problem. My recollection is that the Justice Department, which of course by that time Bill Rogers was Attorney General, took the position that referees would be the way to handle this. The liberal Democrats insisted that there ought to be examiners appointed by the executive branch. I think we could have won the point that the liberal Democrats were espousing, but again, the leadership of the Senate and my recollection--the Republican leadership of the House was committed to using referees and that is what prevailed.

B: You see often that in those years in the Senate, Mr. Humphrey kind of served as Mr. Johnson's line to the liberal camp. Is that true in what you've seen of their relationship?

M: Well it is not only true from what I have seen, but also that is what Mr. Johnson himself told me. He was in the office one day and he said, "You know, what I wish the liberals would do is have somebody who is their spokesman that I can deal with." Then he mentioned several people, some of whom he made it clear he didn't think he could deal with; if he did deal with them they might not be able to make their agreements stick. But

he mentioned Senator Humphrey as the kind of person that could be an effective liaison and said a couple of things which made it clear to me that he had checked with Senator Humphrey before making whatever arrangements he had made on the revisions of the Voting Rights Act of 1957. Now he never did say whether Senator Humphrey had agreed with this, and I don't know whether he ever did myself, but I will say it was clear to me that he had checked with him on it.

B: I would imagine you yourself must have worked fairly closely with Senator Humphrey too?

M: Oh yes, as a matter of fact in all the years he has been here, Senator Humphrey and I have been almost inseparable on this matter. And I believe implicitly in him. I am a political independent but I have no hesitancy in saying that I was for him in this election and that if he decides he's going to run in 1972 I'll be for him in 1972. As a matter of fact, I haven't taken off my Humphrey button yet!

B: I might put in the transcript here that the Humphrey button is behind your lapel.

M: I feel--it is behind the lapel for this reason. President Johnson, as he was leaving office said, "We all want to get behind the new President. We ought to forget about our differences," and so far as I'm concerned I would not do a thing to differ with that advice. I'm ready to do everything possible to make this Administration, the Nixon Administration, the best thing that the country could have because that will be good for the country. And for that reason I wouldn't want to exacerbate anything by having my button out front, but this doesn't change my loyalty. I believe in Vice President Humphrey, and I hope that he will become President of this country.

B: In those years when Mr. Johnson was Majority Leader in the Senate, did you see any signs of presidential ambitions?

M: Not at first but later as we got closer to the election year I did see some indication that he was taking himself seriously as a presidential possibility. I think he had fallen into the hands of the wrong camp--they were good and honorable men but they were men who were not aware of the changes that were taking place in this country. And I don't believe that they knew what a President had to do in order to keep this country moving forward.

B: Would you be referring, sir, to Mr. Johnson's friends in the Senate?

M: I was referring to them and I specifically had Senator Russell in mind. I think that Senator Russell was a great admirer of Mr. Johnson and he had tremendous prestige. It's my opinion that he could have assured Mr. Johnson of overwhelming Southern support, and probably conservative support in other parts of the country. But the political reality was, that would not be enough to win, and also if it had been enough to win it would not have

been good for the country. Because the tide was running in the direction opposite from the direction that Senator Russell seemed to think it was running.

B: Thinking back over those years, it's hard to believe that Mr. Johnson could have created for himself a liberal image in the country as a whole.

M: That is quite so. He might not have been able to do so, but again if you think about the way the Democratic party operated at that time, it's entirely possible with the right kind of backing he could have convinced the country--that part of it that needed convincing--that he was going to be another Roosevelt. You remember Roosevelt was not an ardent supporter of civil rights, and it's my opinion that some of the skillful Democratic operators had they been backing Mr. Johnson, would have been able to convince many people, probably including a lot of Negroes, that while he wasn't straight on civil rights so far as legislation is concerned, that he was 100 per cent for progress under executive orders, and court decisions.

Now the reason I think that might have worked if the right people were saying it, this is essentially what was done in the case of President Kennedy. His civil rights record was good, but he was not one of the leaders of the civil rights effort. In addition, we had some strong differences because he had voted for the jury trial amendment in the 1957 bill, but his supporters among Negroes just insisted that he was going to do a lot of things by executive order and he was going to give full backing to liberal court decisions. That he was going to give ample employment opportunities to Negroes. Therefore, why cry crocodile tears, as they put it, because he isn't doing anything on civil rights legislation. Well, I was a strong dissenter on that and I guess I was one of those that some of them had in mind when they talked about crocodile tears. But nevertheless, I felt that we needed to make a full-scale attack on everything.

B: Did this kind of activity on behalf of Senator Kennedy start fairly early before '60?

M: Well, it started more in '60 because--

B: I meant specifically this activity within the Negro community.

M: Yes. I think it started in '60 because actually President Kennedy did not have much contact with Negroes prior to that time. I remember when his campaign operation was being put together, there were some people in it who certainly did know him and I'm sure he didn't know them. But they had been drafted into the operation and they did as effective a job as could be done under the circumstances. Then later on they got more people and these people began to build up the prospect of a president who would use his executive power and would also back up court decisions.

B: It must have been effective, at least in some quarters.

- M: Well it's no doubt that it was effective. I think, of course, the Kennedy charm helped to bring success too. But there's no doubt that it convinced a lot of people.
- B: Were you surprised to find out that Mr. Johnson had taken the Vice Presidential position on the Kennedy ticket in '60?
- M: I was not only surprised but to some extent pained. And the reason I was, the--I certainly felt that the Kennedy candidacy left something to be desired because I thought we should have had some very firm commitments on civil rights legislation. I also knew that he was not close to colored people and frankly I thought he needed on the ticket somebody who was closely identified and who could act as a sort of bridge between us and the White House. It seemed to be that [with] Mr. Johnson taking that position, the chance of getting our story to the President who needed to be contacted often, would be diminished, and the chance of Senator Russell and others getting in to tell their story would be increased. So I was, as I said, somewhat pained by the way it came out. I was really amazed also that he accepted the Vice Presidency.
- B: I have to ask a question here that may be just down-right impertinent, because I really don't know the ethics involved. Do you and the NAACP involve yourself in campaigns, as in 1960?
- M: We involve ourselves to this extent. We do not endorse candidates but we make the record available of the various candidates for office from President on down to whatever level we have the record of the man. It's my opinion that this is useful material for people who vote and I would think anybody with common sense after looking at the record and seeing that one candidate had a better record than the other, would vote for the man with the better record. So while we don't endorse anybody, I would think that the record itself certainly would be helpful--and I think it has been helpful to a lot of people who won, and I think it caused some people to lose. But we've never endorsed anybody.
- B: Did you in '60 conduct a voter registration campaign?
- M: We did in '60. We have been conducting those drives many years, and we did in '60 as we had been doing before.
- B: In the nature of things, both of those activities are bound to favor the Democrats, aren't they?
- M: That's correct. As a matter of fact, the Democratic record on civil rights as a party was almost beyond reproach. The President would always say the right thing, and liberal Democrats would always vote the right way. The Republicans would vote the right way in the House but then in the Senate there would be a split and they would be clearly identified with the Southern Democrats. The amusing thing to me always was, you would

hear Democrats for office in the North saying, "We're for civil rights as a party and we've got to break that coalition of Republicans and Southern Democrats." Well, somehow the public got the impression that Southern Democrats were a different party, you know--

B: They may not be far wrong!

M: As I look at it in retrospect, it was very clever political activity. Because once the election was over, the Democrats, north and south, usually merged and worked together. Of course a lot of things were defeated by the coalition but I think the fraternity between the Southern and Northern Democrats was always there after the election.

B: During the next years when Mr. Johnson was Vice President, did you continue to see much of him?

M: Yes, I saw him with some frequency and had some very frank assessments of situations from him.

B: In what kind of cases?

M: Well, one was in reference to legislation. I remember a conversation we had about the possibility of getting a certain piece of legislation passed. Somebody said, "Well, you got to overcome the filibuster." And he said, "Well, that's a joke. These fellows can't carry on any filibuster." And he went down the line man by man of the Senators indicating why physically they could not carry on a filibuster, which to me was a very fine thing. And I felt the same way myself, so it seemed to bring us closer together.

B: Is that specifically about the '63 civil rights proposals?

M: It's either about the '63 civil rights proposals or changing the Senate rules, I can't remember which it was but one of those two. Then another thing of course which made me feel that there was some very important and desirable changes occurring in his thinking was his trip around the world, you know as Vice President. I heard him over at the Press Club when he got back and I felt that something had happened on that trip which was useful to the country, and I told him so. I think the conversation [that] I had indicated that my assessment was right.

B: You mean the trip around the world caused some changes in his attitude towards civil rights at home?

M: I think it had made him realize that civil rights was an urgent matter in this country.

B: This business of our image abroad as in the new African countries, that sort of thing?

M: I'm not sure I could be that specific because I'm relying on my memory. But whatever it was, it was definite enough to make me feel that he believed that a kind of tide of freedom was sweeping the world and that it was something we couldn't hold back and shouldn't hold back. And that we better get busy in this country to do our part.

B: Did you get the impression also that he might then feel liberated in the sense that he was no longer a Senator from Texas and obligated to that constituency?

M: It would be hard for me to say that because when he voted for the 1957 Civil Rights Bill, he told me that there were some people in Texas who wouldn't understand that vote, but he was going to cast it anyway. And my recollection is that he told me that he was going to speak to Senator Yarborough, I think, about voting along with him and assuring him that this would defeat him if he did. So I had the impression on his thinking on how he voted was more in terms of his own assessment of the situation rather than what he thought would happen to him politically. This may be grossly in error, but I had the impression in talking with him from time to time that he felt he could vote pretty much the way he thought was the right way to vote and he'd still get elected. Now there was some reason for that because the vote in Texas was changing, and he put great faith in the Mexican and Negro votes. So I think so far as he was concerned personally, he felt pretty free to vote whatever way he wanted to vote.

B: While Mr. Johnson was Vice President, he was chairman of the President's Equal Opportunity Council.

M: Yes.

B: Was this an effective organization?

M: I never thought it was effective. I think if anybody could have made it effective he would have. And it may be that by an assessment that is more objective than mine, it would be found to be an effective organization. But you see, this was really a carry-over from a program that we'd gotten started under the Truman Administration and continued under Eisenhower. I was the person who sort of set that in motion under the Truman Administration. My concept of what it was going to be was this: I-- (tape interrupted)

What happened when we had it set up under the Roosevelt Administration [was] a Fair Employment Practice Committee. Senator Russell got through an amendment to an appropriation requiring that no program authorized by executive action could remain in effect for more than a year without coming to Congress for approval. The Bureau of the Budget then incorporated that in all appropriations for agencies, and this effectively killed the Fair Employment Practice Agency, because Congress did not give it authorization.

It seemed to me that something had to be done to keep the idea alive, and I

worked with some of the Truman people in finding a new formula for an executive order which would make it possible to have a fair employment function in government. As often happens in these cases, the Russell amendment not only hurt civil rights but it hurt a lot of other agencies. To meet that problem these agencies had set up what they called inter-agency committees made up of persons who were loaned by the agency for which they worked. The money for the operation of the inter-agency committee was drawn from the regular appropriations. Well, we got this kind of thing set up by executive order issued by President Truman. We succeeded in keeping it alive under President Eisenhower and we really didn't have to try hard to keep it alive under President Kennedy. But both President Eisenhower and President Kennedy sort of gave the impression that this was something new and stronger than what had gone before. But the fact was, there wasn't any great difference.

So far as I was concerned the objective that I had in mind was to try to keep at the national level of government, some kind of operation which would keep the public thinking about fair employment as a government responsibility until we could get legislation. So I never expected this would be an earth-shaking operation. It seemed to me it was more a holding operation. I say that merely to indicate that I feel even with the best of intentions it was not possible for that agency to be highly effective and it seemed to me that Vice President Johnson put a tremendous amount of effort into it and it seemed to me that he recruited a lot of good assistants. But it still was not adequate because we needed legislation.

There were some people connected with the agency who were very close to its day to day operation who felt it was a tremendously successful venture, and they thought it was more important than an executive order. I mean, than legislation. One of them, for example, Hobart Taylor, told me that himself. He was connected with it, and he said he felt that the power which this committee had that Mr. Johnson headed, to recommend cancellation of contracts and that kind of thing, was tremendous and this was all we needed--I better not say it was all we needed--but it seemed to me he felt this was a more effective vehicle than legislation.

I say that merely in an effort to try to be fair. I didn't agree with him, or I didn't think it was a very effective agency. But at the same time I don't mean to imply in any way that Mr. Johnson wasn't giving it everything a man could give to make something a success.

- B: Actually I think there were many who would agree that that kind of thing would not really work well until it is backed by legislation.
- M: That is what I've found, and I just want to make sure that I'm not saying anything which reflects on the Vice President's energy and intentions. I think he is the kind of man who had a brain to operate, and skill, to operate a jet airplane but the vehicle that he was

operating was a kind of land-based old vintage automobile, so even the best that he did couldn't be as effective as he could make it if he had better tools to work with.

B: I know you've done an interview like this for the Kennedy program. Did you cover the origin of the '63 civil rights proposals?

M: My recollection is that I did discuss that.

B: Just briefly then, do you know if Mr. Johnson was involved in any stages of that importantly, in the drafting or working with Congressmen?

M: My recollection is that he was certainly involved in working with Congressmen and Senators. On the matter of the drafting, my memory is a little hazy on that because the President, President Kennedy, had convened so many different kinds of groups to try to get public opinion jelled on this. It's hard to know who was doing what in some instances. However, I do know that nobody thought that some of the things which we ultimately got into the law would be possible. I thought we'd get them mainly because I was applying the Johnson principle of vote counting. The Democrats were doing what Democrats other than Mr. Johnson often did: that is, they were counting just the Democratic votes and estimating what they had among the Republicans. Usually much too low. I was counting both Republicans and Democrats and as I said, I was just using the Johnson method. And I felt we could win on those. When Mr. Johnson became President I found he appreciated that system and this picture over here on my wall showing that little piece of paper beside the President is an illustration of it. On that piece of paper are the names of the Senators that I felt Mr. Johnson had to get. I told him all those that I had gotten. And he agreed to take that list and did produce on it.

B: Was the passage of that bill pretty well assured before President Kennedy's death?

M: No.

B: There's been some controversy about whether or not when Charlie Halleck came around, and just what did happen?

M: There are those who say that was true, and it is true on the basis of our assessments that the votes were there, but you can have the votes and still not win if you don't handle it correctly. I feel that there were many times--in fact I know there were many times when we could have lost on the House floor if we had not had the kind of attention that the President was giving to the bill.

B: You mean President Johnson?

M: Right. Now you see, actually there are those who say, "Well, in the House Judiciary

Committee a compromise had been worked out," which is true, and that leading Republicans, Halleck and McCulloch and the rest of them were for it, but there were many times on that floor when even Halleck, in spite of his commitment, would vote for crippling amendments which we had to beat down. And there were many times when if it had not been for the Johnson intercession, we wouldn't have had enough votes on the floor to hold certain things.

Now one of the things that was in jeopardy of course was the fair employment title, which we managed to hold. The other was Title VI. And the trouble there was that many of the liberal Democrats were ready to sacrifice that. They were ready to sacrifice it because they felt it was better, or at least they said they felt that it is better to have government money going into things like education and public improvement, even if it is used for segregation, than to cut it off because this would mean you wouldn't have some of the things that this money permits. And we could easily have lost if we hadn't been getting the right kind of signal from the White House.

B: I've seen indications that very soon after the assassination of President Kennedy you talked to President Johnson and at that time were assured that there would be no compromise on the bill. Is that correct?

M: That's absolutely correct and one of the things which I remember very vividly about the President's attitude, President Johnson's attitude, was this. He was in Texas and we were up in the White House meeting with Larry O'Brien and some others until quite late in the evening on strategy in the House.

B: This was in December of '63 or thereabouts?

M: It was after the assassination and before we had actually gotten to the House floor. That probably is right. But somebody came on the air, I think it was Roger Mudd or somebody. I got the program as I was leaving the White House and turned on my car radio. This person, whoever it was, said, "Well, the President has already reached an agreement with Senator Russell that he'll get the civil rights bill through, but not with fair employment in it." And I was incensed because I knew that wasn't true on the basis of the conversations we were having. I called Roy Wilkins in New York to suggest to him that I didn't believe it was true and he said, "Well, the President just called me from Texas and said that it wasn't true." I cite that because it shows his sensitiveness and his determination at all points along the way to give reassurances on things.

There's another thing I forgot to mention which is important, it concerns Bill White, who used to work for the New York Times, as a columnist. He was very close to President Johnson in the Senate. And most people assumed that when Bill said something in his column, that this was really coming ex cathedra. I think that was more or less right in most cases, but shortly after President Johnson took office Bill wrote a column in which

he said that "You can expect the shift away from the Kennedy provisions, which probably means that the civil rights bill will be shelved" and something of that sort. Well, under normal circumstances you could have assumed that this really was what President Johnson was thinking. But almost at the same time his column was coming out, the President was calling people in to tell them how he had to get on the ball on civil rights.

B: You mentioned the meeting. This picture up here is about you and Mr. [Joseph] Rauh, I believe, met with the President and gave him your vote count in the Senate and asked his help on certain other Senators and he got them?

M: He did. To show you how closely he was following this situation, when we got the bill through the house, Joe Rauh and I were in a footrace over in the Senate to start work there. You know there are certain details you have to get squared away. The phone rang in one of those booths over there in the House wing and to our amazement it was the President calling--I don't know how he ever managed to get us on that phone, but he was calling to say, "All right, you fellows, get on over there to the Senate and get busy because we've got it through the House and now we've got the big job of getting it through the Senate." Well, this was really a fascinating thing to me, that the Chief Executive of a country could have followed this legislation so closely that immediately on the passage of it by the House, he knew how to get the fellows who were working over there on a pay telephone.

B: He may very well know all those phone numbers in the House.

M: It's possible, but it sure was a kind of unusual thing.

B: Was the Senate really the problem?

M: Yes. All of us knew always that the Senate was the problem. The House was the kind of thing where [with] sufficient work and sufficient watchfulness you could be reasonably certain of getting what you wanted. Watchfulness would come always when the House was in the Committee of the whole. You know that's when you have people ducking off so that they don't vote for you, or people voting the wrong way knowing it's not a record, and we had an apparatus for checking that and the President was very diligent on it too, so that this is mainly a matter of how hard you work getting it through.

But in the Senate it is not only how hard you work, but how skillfully you work. And there you really had to have a force working for you that members of the Senate would respect. The President supplied that force. I have in this article a reference to a conversation with a Southern Senator, whose name I don't mention. And I guess since he's still around I might just as well not mention him now, but it is true that he told me that the President had put so much pressure on everybody that there wasn't any doubt about this bill going through. And at the time he told me he seemed almost to be feeling the pain

of the pressure. We were riding together on a subway car from the Senate wing of the Capitol to the Senate office building. I'll never forget the expression on his face because he seemed to be in some pain as he recalled what kind of pressures were being exerted, but he is the kind of man who I think has a lot of affection for President Johnson and I think while he probably would have never been for civil rights--he didn't actually vote for the bill but he could have hurt us in a lot of ways that didn't hurt us--but I think he really was convinced on the basis of whatever the President had told him or had done that this was important.

B: I was going to ask you if you knew what kind of pressures the President applied in that case?

M: I don't think it's a kind of pressure of threats or anything of that sort because I'm sure having been a member of the Senate the President would know that that wouldn't work. But I think what it was just that constant persuasion and argument and keeping in touch that probably turned the trick. I have seen it work a little and it just makes a person feel like a real heel if he doesn't do what the President asks you to do.

B: How did you bring Everett Dirksen around?

M: His name was at the top of that list that I gave to President Johnson. I didn't feel that there was anything I could do with Senator Dirksen myself, because he had boasted about throwing me out of his office. Actually he hadn't thrown me out. We had a big argument in his office about how the Negroes had been so ungrateful as not to vote for him, but actually he hadn't thrown me out.

For whatever it may be worth as a little pleasant item, I would say this about the conversation we had when he was supposed to have thrown me out of his office. It was at a time when I was trying to get some help from him on cloture--rather rules changed at the beginning of a new Congress--and he--I took along with me a man who was a Republican. When he got in the office the Senator was very brusque and said, "Clarence, you are through. I don't want to have anything to do with you at all because you haven't done your homework." He said, "None of those Negroes voted for me up there in Illinois and I'm through with them."

And I said, "Well, Senator, here is a Republican who is with me, and I'm sure he must have voted for you." Well, that mollified him a little bit but he still remained very belligerent and very ill mannered. So when we left his office, this Republican who was along with me said, "That Senator--" he called him Senator Dirksen, not Senator Dirksen, he said, "That Senator Dirksen is a very difficult man," he said, "I'm sure glad I voted for Sid Yates!" Yates was the Democratic candidate for Senate. But I knew there wasn't anything we could do with Senator Dirksen. On the other hand I felt that if anybody could get him it would be President Johnson, and that is why I had his name at the top of the list.

I think President Johnson's influence was the deciding factor.

B: Wonder what he used?

M: In my opinion it was just friendship. I don't think that he has--he and Senator Dirksen are good friends and I think it was a kind of argument of friend to friend that brought him around.

B: Who else was on your list of eight?

M: My recollection is that it was pretty much the old guard of the Republican Party, people like Senator Curtis of Nebraska. I think we had Senator Carlson of Kansas, a few others like that. My recollection is that they were mainly Republicans but I think I also had Senator Bible on there and Senator Cannon because they came from a state where they had all kinds of reasons for not voting for cloture. I think I had Senator Hayden on there, although I don't know why. I would have thought there was even a remote possibility of getting him. Yet we could have gotten him if we had needed him. He, and this again was because of President Johnson's effort, he was standing outside ready to vote with us if we had needed him.

B: I assume there were many whom you just didn't bother to either try with, the Stennises and Eastlands and--

M: No, we didn't try to get the real 100 per cent opposition Southerners, but we did discuss with the President the importance of trying to soften the quality of the debate and the kind of opposition which they'd give. And I feel that this worked because it was a really low key debate. Another thing of course that was in our favor was a growing political strength of the Negroes, as in the case of Senator Olin Johnson, for example. He had a huge speech but I knew he wasn't going to give that whole speech. At the time he was giving it he was joking with a lot of people, although he would say a fierce thing in a monotone. He would smile and it was evident that this was just something being done for home consumption. I think that the Johnson generalship played an important part in that.

B: Was there ever a time in there when you felt you weren't going to make it in the Senate?

M: It's always hard for me when I'm in a fight of any kind to think about losing. And I don't believe I ever thought we were going to lose. I'm sure I always felt that we had to fight to win, and I guess one of the reasons why I always thought in terms of winning was the kind of organization that we had, which the President helped put together, in the Senate. We had teams and had captains, we had pretty much clear White House liaison between Senator Humphrey and the President, even so much that--oh, I better not say that, but in any event--

- B: That's tantalizing, Mr. Mitchell. It was Senator Humphrey then who was the leader for this bill?
- M: That is correct. Senator Humphrey was the real general and his co-general, if that's the proper title, was Senator Kuchel of California. This was a wonderful demonstration of bipartisan cooperation. We were together every morning with Mr. Kuchel and Mr. Humphrey. The captains of the civil rights proponents were together. All during the day we were in touch, each day, about tactical matters, and at the end of the day there was never a day that Senator Humphrey was not available for a meeting. Joe Rauh and I always met with him, I guess. We may well have worn out our welcome but he never showed it.
- B: There are stories that President Johnson and Mr. Rauh don't get along all that well.
- M: I think that would be true now, and it was undoubtedly true before Mr. Johnson became President because Joe Rauh was one of those who actively opposed his nomination as Vice President. But once Mr. Johnson became President, he really held out the olive branch, he did it in so many little ways. I remember Joe telling me how he was crossing the street at the Statler Hotel on 16th Street one day when he heard a voice saying, "What's the matter, aren't you going to speak to me?" And he turned about to see the Presidential limousine pulling up with Mr. Johnson in it, and Mr. Johnson was yelling at him. And called him over and chatted with him. And I know that the President showed him every courtesy--had him at all of our meetings. Now of course as the second term wore on, various things developed that strained that relationship until finally I think the President--I wouldn't want to venture an opinion on how the President thought about Joe, but I would say that certainly Joe was--well, it's a matter of public record, he was in another camp.
- B: But at this time they were working together very well?
- M: In the matter of civil rights legislation I don't remember any point where it wasn't possible for Joe to express his views to the President to the Attorney General and others, and be taken seriously. I think the President--well the President showed respect for his legal reasoning.
- B: Was Larry O'Brien an effective legislative assistant at this time, too?
- M: Well during the entire fight Larry, once he got over the notion that I didn't know what I was talking about, was a very wonderful person to work with. You see, at the start of the fight Larry was following the usual Democratic party policy of counting the Democrats and estimating the Republicans. When I told him we had enough votes to put Fair Employment in the bill in the House--well, I don't know what he thought, but he said, "This is ridiculous. You're going to kill the bill." And I don't know whether Larry was

responsible but a lot of flak went out to different places indicating that maybe I was sort of upsetting the apple cart down there. I think most people knew that there wasn't any need to try to stop me from what I was trying to do but they did try to stop other people, particularly people in the labor groups. The labor groups stuck with me on it and I think [that when] after one or two votes it came out the way I had indicated that I thought it would, Larry began to see that this just wasn't a pipe dream but it was an actual count. And at that point he became a wonderful--he was always pleasant to work with, but at that point he really became a very fine person to work with and we had what for me was a very fine relationship.

B: It sounds like it took Mr. O'Brien a little while to learn how to count.

M: I think it was the problem that people have in many of these things. You see, some Democrats do not talk to Republicans, and there are some Republicans who do not talk to Democrats. I have found that the Republicans who talk to Democrats and the Democrats who talk to Republicans usually can win. As an example, Dick Bolling and Clarence Brown, Sr., who is now dead, were members of the Rules Committee. They were always in communication with each other on civil rights and when we were ready to move, by sticking close to them it was always possible to know what was going to happen; and I had this experience with them while Judge [Howard] Smith was chairman of the Rules Committee and also when Congressman Colmer became chairman of the Rules Committee. So no matter what Judge Smith might say about how much blocking he was going to give, and no matter how much Colmer was going to say about how much blocking there was going to be, I always knew what was really going to happen because Brown and Bolling were talking together. And I think in fairness to Larry, this really was what would have caused him not to think I knew what I was talking about because he would be basing his estimates on his hard counts of Democrats and getting speculative reports from various people on what Republicans would do.

For example, the Speaker McCormick often said we need fifty Republican votes. And the best that most Democratic people would think the Republicans could produce was 10 or 11. Well these were the people that they were accustomed to talking with, like Mathias and MacGregor and people of that sort. But I was interested in talking with all kinds of Republicans and I knew--well, I think most of them wouldn't have thought Clarence Brown would have been with us, but I knew he would and I would count him and they wouldn't.

B: I have a personal question. Do you get along well with men like Judge Smith and Senator Eastland as a personal relationship?

M: With the Judge, he was always polite. With Eastland he has never been polite. He will not speak to me even. And so I've learned not to speak to him. He's one of the few people around here that I do not even speak to and he never speaks to me. On the other

hand whenever I've wanted to arrange appointments with Eastland for his constituents, I've always been able to get them and he's been very courteous to them.

B: You mean his Negro constituents?

M: That's right, his Negro constituents.

B: I was wondering, because you must be occasionally in kind of an anomalous relationship, there must be some congressmen or senators who you know are not going to ever support what you stand for, but who nonetheless can be friendly.

M: Well that is right. I try always to deal with people on the basis of one human relating to another and I assume that they've got strong compulsions on why they don't want to do certain things just as I have strong compulsions that we should do them.

For example, we had a meeting up here the other day of our young people and a Southern Congressman happened to be coming down the hall as I was talking to some of them, and he and I have had a very friendly relationship although he's never voted with us. And I stopped him and introduced them to him. We chatted for awhile and these young people were just amazed, but the actual fact was I just know he's not going to vote with us, and at the same time he's a courteous and pleasant person so I don't see any reason why I should not have a courteous relationship with him.

B: When you're in a real fight like as in '57, and '63 and '64, do you use your bureaus in the states and cities as another device to persuade Congressmen?

M: Yes. We have what is called the Leadership Conference on Civil Rights.

B: Which is more than just the NAACP?

M: Right. It's a coalition of about 120 organizations and we try to get all of those organizations to work locally as well as nationally. We also try to activate our branches of the NAACP. One of the reasons why I had--

End of tape

Interviewee: Clarence Mitchell

Interviewer: Thomas H. Baker

Date: April 30, 1969

Tape Number Two

B: This is a continuation of the interview with Mr. Mitchell. We were talking about the work of the Leadership Council.

M: The Leadership Conference on Civil Rights, as I said, is a combination of about 120 organizations, and I was also indicating that these organizations work on individual members of Congress and the Senate, both at home and in Washington. I was also about to say that one of the reasons why I felt we had an accurate count on the House in 1963 was, we had brought into Washington from the NAACP persons from all of the key states. We had asked that these NAACP people, the individuals who were active in politics in their own party, and who knew personally the Congressman or Senator that they would talk with. We also tried to make certain that they would not be the victims of any kind of evasion. We pretty carefully schooled them in what to expect in the way of evasive answers.

We had the very good fortune of getting in people who were really top-notch operators in the Republican party. The reason I say it that way is, it's no secret that the majority of Negroes in this country are Democrats and most of the really skillful, intelligent Negroes are Democrats. So that often when you have a meeting of this kind in Washington, you get a lot of skilled Democratic operators, but no skilled Republican operators, one of whom is Samuel Jackson, who is now the Assistant Secretary in HUD. He comes from the state of Kansas, which was a tremendous asset because there's where we really--in that part of the country, there's where we really needed to know what kind of support to expect. He was more or less the coordinator of the Republicans who came, and we not only got their reports but we got records on tape and we got--not records of conversations with Congressmen, but their reports on what the Congressman said. And very excellent follow-up suggestions. So that the votes we were able to count as a result of those visits, came out with, oh, I suppose 99 per cent accuracy.

B: You know, there must be some Congressmen to whom it would really be disadvantageous to send a man of known NAACP affiliation--I say that because I've lived in the South, the deep South, where as you well know the NAACP is just the villain, at least in the public speeches. Did you ever find that kind of situation? Where you had to conceal your affiliation?

M: No.

B: Not you yourself, you couldn't, but other people?

M: No. It's interesting. The Congressmen and Senators sometimes who are the most vigorous in their speeches attacking the NAACP, seem to have almost a kind of fondness for the organization because it's a known antagonist, you know, with whom they are fighting. And this is true with--it has always been true in our relationships with our opponents. They start off fighting us, and then after the fight goes on for a while, they develop a very friendly relationship, so that off-stage they are talking cordially, and back on stage they are fighting again.

We found, and have found always, that among the Southern Congressmen and Senators, they welcome an opportunity to talk with NAACP people and this is also true with people outside the South who don't agree with us sometimes. But it's a two-way proposition. They get a chance to tell us off, so to speak, and also a chance to see what we really have on our minds that they could agree with.

B: I might add in here, since we've been talking about the Leadership Conference, you are Chairman of the Leadership Conference.

M: I'm chairman of what we call the Legislative Committee.

B: Which means chief lobbyist.

M: Well, that's a nice title. Yes, I think that would be correct.

B: After the '64 Act was passed, did you begin to move immediately into more legislation and to what became the '65 Voting Rights Act?

M: Yes. I think it was immediately apparent that we had to do something in the area of voting. In '64 I personally was afraid to give too much emphasis to voting, which of course was part of the legislation because I felt that there would be some people who would say, "All right, we'll give them a voting rights bill, call that a civil rights bill, and junk all the rest of it."

B: As had happened in '57.

M: Right. So tactically, I for one, and I wouldn't want to try to speak for anybody else, tried to de-emphasize the voting aspect and emphasize the other parts. Now when we got into the conferences as to what we wanted in the Voting Rights Bill, Voting Rights Title, I did emphasize that the Title should apply to state elections as well as federal elections. And I contended that this was sound because the '57 Act applied to both. Many people didn't realize that, but this is another tribute, I guess, to Brownell's skill in drafting legislation. His bill was drafted in such a way that it required the renumbering of certain parts of the

existing law. And therefore it wasn't necessary to say in the actual text that it applied to state elections, because by the renumbering process, it automatically applied. So that many people were surprised to learn that they passed a piece of legislation which applied to state elections as well as federal.

But even though they were surprised, they still didn't want to act as comprehensively as we wanted them to act. So we knew that this was the weakness which had to be remedied as soon as possible. And it was almost immediately after the '64 Act was passed that people began to coalesce around an idea of a new bill dealing with voting legislation.

B: Mr. Johnson giving this strong support?

M: He gave it full support, because this was something he really had always advocated. Now the one problem we had, though, we felt that there ought to be a prohibition against the poll tax in this bill. There of course we ran into another problem which involved, I think, the matter of a man keeping his word. We had gotten through--I shouldn't say we--the President as Majority Leader had gotten through an amendment, a resolution permitting a constitutional amendment, to abolish the poll tax in federal elections. Some of us had always contended that you didn't need an amendment to do this, that Congress could do it by statute. But the moderate Democrats of the South were anxious to do something which would show they were not wholly intransigent. The leader of that group was Senator Holland of Florida. The all-out segregationists didn't want to do anything. Mr. Johnson's influence went with the group that wanted to do something that was constructive, and they argued that you had to do this by constitutional amendment and it applied only to federal elections. They were supported by a lot of non-Southern Senators in this, and they finally won.

Well, once this had been won, moderate Southern Senators would say, "You see, we were for civil rights as long as you did it in a constitutional way." And it was clear that if in the 1965 Voting Rights Act, the President had said he wanted prohibition against collecting poll tax in state elections, he would really be repudiating the kind of relationship that he had with the moderate Southerners. And while I don't know that that ever entered into his thinking, because I didn't discuss it with him, it just seemed to me by a process of logical reasoning it would be difficult for him to include prohibition against the poll tax. However, we felt, those of us on our side, that we had the votes to get it, and we went after it. Well, we got it in the House and we could have gotten it in the Senate, but various forces went to work in this and there was a compromise which was a viable compromise, in that it authorized the Attorney General to act in attacking the poll tax legislation in the state. The first case that came to court involved the State of Texas, and it was won. Which in my judgment made it possible--well it isn't my judgment, it was a published story in the Texas papers, that this made it possible for, I think it was about 300,000 new voters to vote.

Senator Yarborough was up for re-election at that time. And I feel that those new voters voted for him or he probably wouldn't have won, if that had not happened. It also came through in time to be effective in the Alabama election. But the final blow to the poll tax of course came from a Supreme Court decision. Interestingly, the Court in its decision did not refer to the statute at all. I have the feeling that it purposely didn't because many of the Justices had indicated at earlier stages that they thought you didn't need a constitutional amendment to do this, so I think they were mindful of that as they were writing this opinion. But be that as it may, the one difference we had with the White House on the legislation was we felt this poll tax provision ought to be in there and the White House did not think it.

B: Were you satisfied with the elaborate formula that's in the '65 bill?

M: I can't say I was satisfied with it, but I would say that it was about the best that could be done, and therefore it was acceptable. This is a very troublesome legal problem. We had the best lawyers in the country working on it, and they were lawyers, many of them, that I trusted as individuals. And this was the best that they could come up with, so it was acceptable.

B: From a layman's point of view, the outsider looking in, it looked very much like that formula had some kind of political motivations.

M: I wouldn't say it had any political motivations. I would say it had a legal motivation of trying to find a constitutional way to attack a problem that had been around for a long time and which you wanted to be sure you didn't arouse any false hopes by passing a statute which would be struck down in the courts. So that this was really an effort to get a bona fide and workable legal solution.

B: And the passage of that one, if I recall correctly, seemed right easy.

M: It was undoubtedly easy. There was no problem at all in passing that--the only question was when, and the thing that held it up to some extent was our insistence on trying to get some poll tax prohibition in there. It probably would have passed sooner if we hadn't insisted on that, but realistically there was very little opposition.

B: These years we've been talking about are the years of the demonstrations in the South. What's your judgment of the effect of those on the passage of the Bills in '64 and '65?

M: It's my opinion that these demonstrations had the effect of keeping the story before the public and keeping the liberal member of the Congress on the alert. But unfortunately there wasn't much to show that it had any effect on the votes that we needed to get and never could get without some kind of help.

B: It didn't change anybody's mind, it just re-enforced those who were already for you, and didn't change the minds of those who were against you?

M: It's hard for me to say that it didn't change anybody's mind, but I don't think it changed enough minds to do the whole job. For example, there's no doubt that as far as President Kennedy was concerned, he had gone along with the idea of more or less soft-pedaling civil rights, and events caused him to see that he just had to do something in the way of giving leadership. He brought in, as I said, all sorts of talents, women's groups, lawyers, one thing and another, really had a tremendous kind of group. Yet, it certainly didn't seem to have any effect on some of the people there who could throw roadblocks, for example, in the Rules Committee. It didn't have the slightest effect that I could see on Judge Smith [chairman]. The only way we got it was because we had enough votes to outvote him, and the votes we got were the votes we would have gotten, demonstrations or no demonstrations, because they were people who wanted to do something.

B: Indeed, I suppose there would be some who would be made more intransigent.

M: Well, there's no doubt about that although it would have been hard for some of them to be more intransigent than they were. They were already pretty much at outer limits.

B: I guess that's about right. As I said, I've lived among them for some time. After '65--I'm trying to stay chronologically with the legislation here, then did you go into Fair Housing, or what happened after the passage of the '65 bill?

M: After the passage of the '65 Bill, almost immediately we went into Fair Housing, as this article that I've given you will indicate.

(tape interrupted by telephone)

Something which is very important, as I've said, I found the President's leadership was 'way ahead of the leadership of some of the people even in the civil rights movement. There were those who thought that they just wouldn't be able to get this kind of legislation through Congress; there fore we ought to rely on an Executive Order.

B: Did Mr. Johnson begin thinking about it there in late '65 or '66?

M: It was late '65, after the Voting Rights Act that the President called us in--I think it was late '65, I know it was after the Voting Rights Act was passed--to discuss the Fair Housing problem. And there were some people who came in very convinced that the President should issue an Executive Order which would be stronger than the Kennedy Executive Order.

B: This was the idea that an Executive Order applied to FHA mortgages?

M: Well it would apply to FHA mortgages that had been made at any time, as distinguished from the other proposal then [in] effect which applied to mortgages executed after the date of the executive order. And it was generally a comprehensive proposal, but not as comprehensive as what is now the law. The President had Attorney General Katzenbach there, and Katzenbach stated that as a matter of law the President didn't have the authority to issue that kind of order. That immediately provoked a big hassle as to whether the President did or did not have such authority and it was so interesting--the President sat there, just listening, never saying much one way or the other. He was a real client relying on his lawyer's advice and Vice President Humphrey became quite upset, for him, because ordinarily he's very mild on these things, but he said with some force, "Well, there isn't going to be any executive order, you might as well make up your minds on that." I think he felt--or certainly the situation would warrant his feeling, that some of the people there were just so set on having an Executive Order that they had a closed mind on the possibility of Congressional action. And it was at that point that I spoke up and said, "So far as I'm concerned, when the President of the United States feels that we can go the route of legislation, I'm with the President."

The President recently--well, not recently, but as he was leaving office we had him over to a little farewell where we made a presentation of a little gift, and he included in his speech. He reminded everybody that I had done what I said.

B: There was some thought at the time that an Executive Order really wouldn't be as effective as legislation. That legislation would have more of a force of public opinion when the time came to enforce the delicate subject.

M: Well to me it was so obvious that it wasn't even debatable. And I think that many people recognized that. What they thought was that we would get in a bind in Congress and couldn't get it through.

Interestingly also, even though the President had done all these things that he had done, there were still some people that thought he was trying to trick us. They thought that he was going to put you in a position where you go over to Congress and you never get the bill through, and then he could say, "Well, I would have done it if I had the authority."

B: You mean some people in the liberal community were still suspicious of the President's--

M: Well, there were some people in the liberal community who are always going to be suspicious of everything, and we had some of them present. I fear, in some cases, they were not giving a reaction of the head, but a kind of visceral reaction, you know. So I never look at things that way. I think you certainly have a right to assume that a person is going to be fair if, you know, in long experience of relationships with him he says something that is different from what you think, but says he thinks this is really the way to

do it. I feel you have an obligation to explore that and not reject it out of hand. And then to me, I guess, my reaction was a little bit on the visceral side the other way and that is, I just felt the President, if he put his mind to it, could get this thing through. And to me the important thing was when you start, not whether you start.

B: Did the President then decide at that meeting or soon after to go ahead with legislation?

M: It was either at that meeting or shortly after when I seem to recall that he said then that he would seek legislation. But I wouldn't want to rely entirely on my memory. But I know it was shortly afterwards that he came out with legislation. And his legislation was far more inclusive than anybody had thought of in the Executive Order. He wanted to cover all housing of all kinds. No "Mrs. Murphy" exceptions or anything of this sort.

B: And that one had pretty tough sledding.

M: Well, it wouldn't have had any tougher sledding than the bill we finally got really. These things represent adjustments here and there very often. The people who voted finally for fair housing legislation would have voted for an all-inclusive bill if they had thought that this was the bill that had to be passed. Now it's true that some of them would have demurred a little because they wanted to be able to explain to their constituents that they had saved something. But as a practical matter, most of them I believe, knew that when you are dealing with constituents who are against fair housing there is no explanation that you can give for your vote no matter how restricted the bill was, if it's for fair housing.

B: It's a far more emotional issue than certainly voting rights, and probably even public accommodations.

M: It has been made an emotional issue by the real estate interests and has been kept as an emotional issue by them, but as a practical matter, many of the areas of the country where there's supposed to be a lot of racial animus, are integrated so far as housing is concerned and have been for years. I know in Jackson, Mississippi, for example, I was down there in the middle of some of the really serious situations involving school desegregation and right down the street next door to where I was staying were white people living and Negroes living and apparently nobody thought "We better segregate this neighborhood." The same in--what's that town in Mississippi--one of the other communities--Meridian, Meridian, Mississippi, the president of our state conference at that time was living right next door to some white people.

B: Was President Johnson's personal push behind the Fair Housing Bill as much as it had been behind the '64 Act?

M: I think it was more because in the case of the '64 Act, we had the advantage of a large number of people being enthusiastic and working around trying to help. In the '68 Act,

the numbers had thinned out and we were left with the standbys who always were around. Which meant, of course, that the President had to do more things than he had to do in '64.

B: Did Mr. Humphrey continue to be of help to you from the Vice Presidential position?

M: He was, he was. But of course he couldn't be as effective as he had been when he was right there in the Senate, but he was helpful.

B: There was also, by this time, a new White House legislative man; Larry O'Brien has been replaced by Barefoot Sanders.

M: Right.

B: How was he?

M: Barefoot was excellent. Unlike Larry, Barefoot believed us when we said the vote. He believed us from the beginning. And he was the most pleasant kind of a person to work with. He never got visibly angry in any of the contacts that I had with him. And always seemed to be around when needed. Always seemed to be working at a steady pressurized pace, but never obnoxiously. He was a most unusual individual to work with.

B: And by the time the bill was passed, you had a new Attorney General too.

M: Well, we had the new Attorney General right in the middle of the bill, and it was very helpful to have him. You see, when Katzenbach stepped out, the question arose whether the deputy Attorney General would be the kind of person who would have the same commitment on civil rights. Well from various sources, as well as my own knowledge of him, I felt sure that the new Attorney General would have the degree of commitment that we needed.

B: Mr. [Ramsey] Clark had been involved in civil rights activities, at least the enforcement of them, to a good extent.

M: Well that is true, and his personal philosophy I had the opportunity to examine, and I felt very good about it. As a matter of fact--the first time I had any occasion to observe it was when he was assistant attorney general in charge of the lands division and we had a problem whether federal jurisdiction would be surrendered to the states in certain enclaves that the federal government was using. And his whole handling of that was most constructive in my opinion. We were opposed to the surrender of federal jurisdiction and I thought that he conducted himself very well in that.

Then, of course, in the Watts riots he was out there. One morning the telephone rang at my home and it turned out to be the President. He started talking about several

other things, and he said, "What about my boy" I don't know whether he said "boy" but some term of endearment. "I'm thinking about making him the Attorney General." I'm sure he was going to do it anyway, but I said essentially what I've said to you that I had a very high opinion and hoped that this would come about. When the Attorney General took office, immediately--we'd been working together a little anyway--immediately we began working together and we had what to me was a most constructive relationship. The President indicated that he was looking--he had a meeting with us--and indicated that he was looking to the Attorney General to give guidance and coordination in the whole area of civil rights in government, and we met with great regularity. For me, it was great effectiveness.

B: Did you advise the President or did he ask for your advice on matters not directly relating to civil rights? Matters relating to economics, war on poverty, education, that kind of thing?

M: I can't dignify it by saying it was advice, but he certainly asked for opinions. And asked for--I guess I couldn't say he asked, but gave directions on how I could be helpful in this overall program.

B: You mean helpful in getting other kinds of legislation through Congress?

M: Right, right. As a matter of fact on housing, the President was just as determined to see that I did everything I was supposed to do in the omnibus housing bill as he was in the Fair Housing Bill. He was very determined that we should do everything we ought to do in appropriations and in the anti-poverty program. Just about anything that had a social implication, he made certain that we were doing something on it, and would personally sort of check up on us to find out what we were doing.

B: Check up on you? Were those the phone calls you'd get?

M: Phone calls and the visit from somebody either from the agency or from the White House who would want to know what you had done on X, Y, or Z, you know.

B: Who was your principal liaison among the White House staff--Harry McPherson, Joe Califano, Cliff Alexander, or anyone in particular?

M: Well on legislation, it was Barefoot after Larry O'Brien left, and I never thought of any one person to the exclusion of another. If I wanted something and needed help from the White House, if I couldn't get Cliff I would call Harry, or Joe Califano or Louie Martin, who was with the Democratic National Committee, but the President had made it clear that he was expecting Louie to do what he ought to do. And as far as I could tell they felt the same way. If they thought I could be useful they would call me. There was no protocol where McPherson might ask Alexander to call me, whoever thought I might be

useful would call me himself.

- B: I gather the White House staff isn't much on protocol and organization anyway.
- M: Well, they weren't under the Johnson Administration because the President was the final be-all and end-all anyway, and they really, everybody was acutely aware of that. In the Eisenhower Administration there was a rather rigid line of authority. In the new Administration, it is not yet clear what the lines of authority will be.
- B: It will probably take them some time to get shaken down themselves. Did you assist the President in selecting Negroes for appointments? He's known to have appointed a number of Negroes to governmental positions. Did you help in the recruiting?
- M: Well, I can say that I helped. There were a lot of people who were busy on that and I didn't pretend to be any fixer or selector of people for jobs. I did on a couple of occasions urge the appointment of people that I felt were eminently qualified and really important. One of them was Samuel Jackson, whose name I've mentioned. I felt that since we'd gotten the equal employment opportunity law passed and it required both parties to be represented, I thought we ought to have a bona fide Republican in that spot and I approached the President on the basis of Sam being a real Republican, who'd worked in Republican campaigns, but who in my judgment would be a great asset. And I won't say that my intercession caused him to get the appointment, but he did get the appointment.
- B: Did the President ever discuss with you the possibility of an appointment for yourself?
- M: Yes, he did.
- B: Do you care to elaborate on that?
- M: I expressed appreciation but declined. I feel that this is the kind of place where I can be most effective, and I really felt I could be of more service to the President. I felt a strong obligation to try to explain the President's position on things all around the country if I could, because it seemed to me he was trying so hard and the opposition was just ruthless in my judgment. They did everything to demean him and distort his purposes. I felt that I had a duty to try to get the real picture across.
- B: Are you speaking specifically of the Negro community, or just generally?
- M: No, I think generally. I felt, for example, the President was a victim of a kind of conspiracy of the newspapers. When he was Majority Leader there were some papers that were just sycophants really, some representatives of the papers were really sycophants in trying to get information from him. The Negro term that is derogatory, "Uncle Tom," well if you can visualize what an Uncle Tom was supposed to be like, they were acting

that way over there when it came to getting information. They just never would give any play to any of us who might differ with the Majority Leader. We were always the outcasts and the stumble bums and the President was a brilliant tactician as Majority Leader, because they needed him as a source of information. He was pretty hard on some of them at times too, and they took it without grumbling. But when he became President and they didn't have the same kind of need for the little bits of information and guidance that you could get out of the Majority Leader, a lot of them took out what I guess was stored-up animus against him, and I thought they were most unfair. Some of the things they would say about him and some of the stories that were written, I thought were most unfair.

B: Did the President ever discuss with you this fairly recent phenomenon of the black militants and the black separatists?

M: I don't think it had come into flower to the extent that it has now. Actually it really isn't any more widespread than it has always been, but it gets more attention now than it used to get. But I can't remember any particular conversation about the separatism. And even on the matter of some of the more troublesome demonstrations, which really didn't seem to have much point, he seemed to be very tolerant on that. Once he did have a meeting and--I can't remember the exact circumstances, but my recollection seems to be that he was trying to get across the point that it is much more important to be registering people to vote and to have demonstrations that would do that, than have demonstrations which were just marching around. And of course I agreed to that, but I don't recall that he ever said anything unpleasant about the demonstrators. In fact he seemed to bend over backwards to try to understand them.

B: Did he have a personal relationship with say, for example, Dr. King or Floyd McKissick or some of the more militants like that?

M: He had them into meetings, he always tried to get them in. And one of those pictures over there shows Dr. King and Floyd McKissick there. Even after the King assassination and after McKissick had said all sorts of derogatory things about him, the President invited him to a meeting. The reason he didn't get in was, when he showed up at the meeting he tried to bring in two people who were not invited, and the President--I don't know whether the President made the decision, I guess the Secret Service made the decision--only Floyd could come in. And before the word got to the President, McKissick said, "Well, if they're not going to let us in, I'm leaving." And the reason I know the President hadn't gotten the word--I was sitting beside him when one of his aides handed him the note saying that Floyd McKissick was here accompanied by whoever it was, they were advised that only Mr. McKissick was invited to the meeting. When the others were not admitted, McKissick left and issued a statement. So that was the first the President knew about it.

B: Did you participate in any of the demonstrations or troubles in the South up to about '65

or so?

M: Well, I don't know whether you could say that I participated in it. I was always involved in it, and if by participation you mean did I go down and become a part of Martin Luther King's group, the answer to that would be no. I always felt that I should act in accordance with whatever the situation demanded, and I was one of the first people who got arrested in the South for not accepting segregation--there were just two of us at the time and it happened at night. You see in the Association we have always believed that you confront, because that's the only way you can get a test. The difference was, in our approach we would--well, my situation illustrates it. I went into the rail- road station and I didn't intend to start any kind of demonstration but the policeman said in Florence, South Carolina, "You can't come in here because this is the white people's side." And I said, "Well, I'm a passenger on interstate commerce. I have a right to come in here." He said, "Well, you can't and if you insist, I'm going to take you to jail." So, well, I insisted and he took me to jail. After we got down there I really had posted collateral, I think it was about \$19, so they were letting me go, and the man who was with me didn't have any money at the time, so I, of course, was going to stay around until we could get him out, but there was a very important meeting up here in Washington on civil rights. I was one of those helping to plan it so I really felt it was more important to come up here and be at this meeting than to stay down there and challenge the problem. As a matter of fact I was thinking, "Well, the best thing to do is forfeit this \$19 (or whatever it was) collateral."

But as I was leaving the police station this officer said, "If you go back there, it's going to be a hundred dollars the next time." And I said to one of the desk sergeants, "But you keep forgetting I'm a passenger on interstate commerce. I have a right to use that section." So this man said "Well, that ain't the law in South Carolina." And the other man said, "It ain't the law in Georgia either!" So then I knew that I had to stay and take whatever would come. Well, I stayed and the next day the courtroom was packed, and the judge asked the prosecutor what had happened and the prosecutor said, "Well, there were a lot of people in the station when this happened and we have a lot of witnesses, but they all got on a train and the only two people we've got is this man and the policeman and this man's word against the policeman's word and they cancel each other out." That really wasn't the way it was supposed to be.

I mention that only to indicate that this wasn't anything unusual as an NAACP approach. Every case we ever had involved this. One difference is, we would use all the processes. We wouldn't just languish in jail. Once arrested, you get out and you fight the case.

B: About when was that episode you were just describing?

M: This was during the Eisenhower Administration, so it was probably around 1956, I guess, or '5, 1955. And this was not unusual. We always had that kind of thing. I remember

once in Florida we were at an airport and the "White Only" signs were up, but we went ahead and made use of the facility. It just happened in that case this was a restaurant and the waitress came up and here was this big sign saying "White Only" but we were sitting there and the waitress never said anything, just went ahead and served us. There was a policeman not far away. My color is black, as you can see, and the man who was with me was my color also, but we were served. When we came out somebody said, "How is it that they served you at that white section?" And we said, "Well, we just have to assume they thought we were white!"

B: Couldn't tell!

M: Couldn't tell.

B: Did you get involved in the events here in Washington after Dr. King's assassination? The rioting and later Resurrection City?

M: Yes, I was involved in both of those things. In the rioting I was involved in two cities. I live in Baltimore and I go back at night, so it meant that during the day I was trying to see how we could keep the peace in Washington and at night in Baltimore trying to see how we could keep the peace there. I felt in those situations, that the President performed a service that the country probably wouldn't have appreciated if they had known--if it had been known exactly how extensive it was, but which in my judgment kept us from having a blood bath in the United States.

We were meeting with him on the morning after the assassination of Dr. King. It's a curious thing. I had gone to a theatre party that night, the first time I'd been in many years, but at intermission I came out and somebody told me that Dr. King had been shot. I went home and I had hardly gotten in the house when there was the Justice Department on the phone indicating that the President wanted us to meet with him. We met with him, and he indicated what he hoped would happen in the country and how terrible this whole thing was.

Walter Washington, who was Mayor [of D.C.], was at that meeting and he described to the President a disturbance that had occurred in Washington and expressed the opinion that the situation seemed to be in hand, as it did appear to be in hand. But then we went into another room and while we were there talking, word came in that police were surrounded in an area, and they were being attacked. There was the sound of small fire and generally it looked like this was a real war going on.

At that point, it seems to me, if the President had lost his head and said all right, return fire with fire, we would have had a terrible situation in this country. Instead, apparently he decided to try to get police and others out of the area and also made it clear that there was to be no taking of human life when people were looting. Now this was a

hard decision, because of course all the people who were losing things felt the looters ought to be shot, but it was very clear that the President wasn't going to have that. And I think historically when you look back on the situation fifty years from now, it will be seen that the President performed a great service when he made it clear that there was not to be any killing for looting.

B: What about the Resurrection City--

M: In Resurrection City I was not very enthusiastic about that idea because I feel that where you're dealing with public property it ought to be open to everybody at all times. Also, I believe that when you have people in a miserable situation as many of the poor of this country are, you shouldn't make that situation worse by putting them in something where their health and safety may be in jeopardy.

Then, of course, I feel that with the limited amounts of money that we've got in this movement, that we ought to be sure every penny counts. I also know that unless you have unusual discipline you can't predict what's going to happen when you bring thousands of people together without any cut off date. And I feel, also, you ought to have pretty clearly set out what your objectives are. Well, all those things left some questions. Nevertheless, when the group got into operation, I joined in assisting with the legislative liaison and helped to establish congressional contacts with them and tried to explain to the members of Congress as best I could what was involved. It was rather interesting. Once the liaison got going and meetings were held, there were some people in the group who felt that I shouldn't be in it. This was not Ralph Abernathy. Ralph Abernathy announced that he wanted me to be a liaison for them. But there were other people in there who didn't want that and they did their best to keep me out.

B: Was there any clear effect on the Congress from the Resurrection City affair?

M: As near as I can see it, the effect was, it aroused the consciences of a lot of people, but it didn't result in any new legislative activity. For example in the meetings we arranged, the question arose repeatedly, "What do you think you ought to have as the satisfaction for your grievances?" And at that point the Resurrection City leaders were either unwilling or unable to be specific. They spent a lot of time trying to decide what it was they wanted.

One of the things was the anti-poverty program. Well, this was pretty much in the works. It was more an acceptance of something that was already in the works rather than an innovation. There was then the question of the omnibus housing bill. Well, this meant housing for people and this was already pretty much in the works. They considered that a good beginning, so there really was no piece of legislation that could be said to have come because of this demonstration. On the other hand, in the Executive Branch, there was a lot of stepped-up activity and things were done which the Executive Branch could have done all along, but hadn't done. For example, in the area of food distribution, the

Executive Branch had taken the position that it had to use its local outlets and that kind of thing. Well, there were a lot of changes in that. And I think generally the President certainly made it clear to all the Cabinet members that he was expecting them to do all that they could to make people feel that their grievances had been heard, and hopefully redressed.

I think the person who probably came through with the greatest right to be a possible candidate for sainthood was Ramsey Clark. The reason I say that is, he had a meeting with them at the--the poor people's representatives--at the Great Hall of the Justice Department. I wasn't there, and in fact didn't even know he was going to meet with them because I had a meeting with him a little later that same day. I understand that the people there did everything that they could to insult him, even though he tried to say things that could be helpful. Press reports said [that] they yelled at him, they shook their fingers in his face, they just generally were hard on him. But right after he met with them, I was with him with a group working on some legislation. And you would never have known that he had been through this ordeal because he was just as calm. When I got out and read the papers, I said, "Gee whiz, what kind of a man is this, who can go through all this, and still come calm and friendly when we meet." This is characteristic of everything he did with the demonstration, I thought.

B: Since you've been here in 1950, you've seen and have been at least partly responsible for an enormous amount of civil rights legislation and executive orders and judicial decisions. Do you ever get dismayed that maybe it hasn't been enough, or it hasn't had the effect you once hoped it would?

M: I don't get dismayed. I realize it isn't enough, because you can never have enough of social reform. But I feel tremendously encouraged, really. I feel that we are on the way in this country to making it a place where everybody gets an equal chance. I think we've made a real substantial breakthrough. Now there are those who'd like to say, "Well, this or that thing is meaningless," but to me all of these things fit together in a pattern and are self supporting.

For example, there are those who say, "Well, what's the good of having a fair employment law if you don't have jobs?" Well, that would be true if we didn't have jobs, but there are jobs available and there can be more available as we expand the economy. But my experience going back to the depression, tells me that without fair employment legislation, Negroes would get the leavings, so to speak, so with fair employment legislation, they get an across-the-board chance. I think the same thing is true with housing. People say, "Well, the Fair Housing Law, we don't have any housing to live in." That isn't true either. The housing that is available becomes more available because you have fair housing laws and the more housing you build the more chance the Negroes will live in it, because the government had previously had been the supporter of segregation. Public housing was separate on the basis of race; that doesn't happen now.

So it seems to me that one of the things we need in this country is leadership that will be honest in making its assessments of conditions that will admit when you have won. Unfortunately that is not the way to get your name in the newspapers and most people who want to be in the public eye realize that, so they say as long as you make an attack on something, you can be sure of getting covered. I feel that even with your opponents you've got to be honest and admit when they are doing the right thing.

To illustrate, I once had quite a little set-to with Governor [John] Volpe [of Mass.] about the regulations on fair employment in road construction. It is a disagreement and of course when we were in disagreement the papers had it on the front page. I met with him and I feel convinced on the basis of those meetings that he's trying to be constructive in the area of employment internally, that he's trying to do something about the relationship of private employers. I've not agreed with his formulation of the guidelines on these contracts, but it is now a disagreement on an intellectual and legal basis and we are continuing in our negotiations to try to straighten that out.

I have said that publicly and of course this has irritated some of the newspaper people. They've tried to get me to continue the original aspect of the fight. I believe in giving him credit for what he is doing. Well, there are some people who won't do that. They'll make it appear that nothing is any good. I don't believe that you can keep a following if you always show that you have lost. I think at some point you have to admit when you have won.

B: Is there anything else that you want to cover? I've run out of questions.

M: I have nothing else that I'd like to--

B: Is there anything else about Mr. Johnson that you'd like to say in summary or an evaluation?

M: I guess the thing I will say is that I believe that President Johnson made a greater contribution to giving a dignified and hopeful status to Negroes in the United States than any other President, including Lincoln, Roosevelt, and Kennedy.

The reason I say that is, obviously Lincoln ended slavery as an institution and for his time he was a great man and performed a great service. It isn't clear whether he felt that you could make Negroes an integral part of our society and that he just had to face up to race prejudice and say it must go. President Roosevelt really had a kind of patrician approach to Negroes. He thought they ought to have a lot of different things, but I don't think he ever really thought of them as people entitled to everything that first-class citizenship would offer. President Kennedy was really much more interested in foreign policy than he was in domestic matters, and he was humane and decent but he wasn't going to really make a head-on attack on some of these things. President Johnson just had

his commitment throughout everything he did. And if it had been left to him, you just wouldn't have had any of the problems that we've got now.

For example, the President was discussing with me once his reasoning in appointing Andrew F. Brimmer as a member of the Board of Governors of the Federal Reserve Board. He said, "You know, Clarence, the white people of this country think of Negroes as being successes as doctors and lawyers and school teachers. But I wanted to show them that they are also successes in business, in handling important economic matters." He said, "Now none of you fellows told me anything about Andrew Brimmer and I found him myself," which was true, because Brimmer was over in the Department of Commerce and the President wanted somebody and found him more or less himself. Which showed the President was trying to reach into an area of American life where Negro appointees would have an impact. And he spoke of Hobart Taylor in the same way, how he had tried to put Hobart in a kind of contact with business, which would mean that we would change the image of Negroes in this country. Then he talked--

B: I was just going to say, I believe the President also made statements in public about appointing Negroes to high positions, not because they were Negroes but because they were good men for the jobs.

M: That is true. He always made sure that when he made these appointments that they were really superior people. In the case of Justice [Thurgood] Marshall to the Supreme Court he was very proud of that appointment. He said, "You know, I wanted a Justice on the Supreme Court who knew the law and was respected for his knowledge of the law, but also had never lost touch with ordinary people." And he said, "That's the reason I appointed Justice Marshall. Because he knows the law and he's never lost touch with the ordinary people." I said, "Gee, Mr. President, that's a tremendous statement. I'd like to be able to quote you on that," and he gave me permission to quote him on it and I used that many times in speeches.

Also in the social life of the White House, the President really went out of his way to be sure that the Negroes were included in it and that they were included in a way that didn't make it appear that he was doing them any great big favor, you know. When you'd go over there, it was just sort of like going to a friend's house.

All of this, in my judgment, has had an irreversible impact on American life for what is good. And I think when we make a historical evaluation of this, we'll see that this was really great contribution.

B: Anything else?

M: No.

B: I've taken a lot of your time.

M: Well, I've enjoyed it.

B: Thank you very much.