INTERVIEW I

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INTERVIEWEE: BERL BERNHARD

INTERVIEWER: Michael L. Gillette

PLACE: Mr. Bernhard's office, Washington, D.C.

Tape 1 of 1

B: --1965--

G: It was November 17, or so, 1965.

B: Yes, but it started with the President's speech at Howard where he talked about having a conference, that was it, and then nothing was done, blessedly, for a long time, and I don't know what finally stimulated him. I asked Harry [McPherson?] once what finally kicked if off. I was never sure what that moment was when the President said, "I guess we need to do something," whether it was Roy Wilkins or [A. Philip] Randolph, or someone that he liked, mostly Roy Wilkins, I think, finally said the time had come to do something to implement the speech. And I don't even remember when he put the arm on me. Bill Moyers, or Harry McPherson, as I recall it, were the first to talk to me about coming on over to the White House and running a conference. We did not intend to have a planning session at first. That was an afterthought.

G: Why did you decide that?

B: To have a planning session? A multitude of reasons have been given. My assignment was to manage a Presidential conference, but no one at the White House nor I, had focused on the complexity and scope of the subject area, of the vehemence with which

the civil rights groups would view the conference, pro and con, and, even more important, the numbers of people who believed that they were an indispensable part of a conference designed to help resolve the civil rights dilemma in the country.

As planning advanced, it became apparent that we weren't sure we had the right mix of people to attend, that the scope was expansive enough, that we had picked the most vital topics, or that we had an agenda that would come up with concrete "therefores," which Johnson was demanding. I became convinced that we weren't prepared to have the conference on the dates expected because it was becoming unwieldy. We figured we would have to come up with a system which would involve more people, reduce the amount of substantive input, and try to limit the agenda for the full conference. We could not cope with what we confronted. I remember talking to Walter Fauntroy about our dilemma. Walter was serving as co-director. We recommended the safety valve of a planning conference, so we could determine first, who were the individuals possessed of necessary knowledge and second, the substantive scope.

By making the conference planning session small enough at the outset, with almost everyone being excluded, we believed we wouldn't generate the same rancor that we would if we had a big conference with hundreds of people but significant persons were excluded. That was my view of it. I don't know whether that's a completely factual view, but that was certainly mine.

G: Do you think there was also a factor of controlling what came out of the conference, that if it were a smaller conference that you would have more control over the course that the conference took or the recommendations?

B: I think everybody was nervous about how the conference was developing. We had the billion-dollar budget proposal, the "Freedom Budget" of A. Philip Randolph, which was really, when you look back, of minuscule proportions compared to the problem at the time, yet his proposal seemed to fuel the contentious atmosphere and seemed to be telling us, "Don't have a conference right now because it's going to be a disaster."

There were also lighter moments. When President Johnson was appointing Morris [Abram] to the Conference Co-Chair, the following occurred. I'd already agreed to be director of the conference, which I then thought was inappropriate because it seemed to me that there should be, as we used to say in those days, "a Negro" director. I agreed to step back and be counsel when we had the conference, and I was just beginning to focus on the Conference when the President decided he needed co-chairs and he selected [Abram], [William T.] Coleman, and [Benjamin] Heineman as these co-chairman.

President Johnson called them all into the Oval Room and engaged the Johnsonian touch to assure that these three folks would agree to co-chair the conference. And it was perfectly clear that they were going to say "yes." The President after about a half-hour of this finally said, "Well, it's a real good meeting, and I'm glad you've been here, and thank you very much for helping your President. Now you want to go out there and talk to the press," and went on and on.

And we just got near the door of the Oval Room, Morris stopped, turned to the President and asked, "Mr. President, you know I'm going to do anything you ask me to do, but the problem is, I just don't know exactly what you want. I mean, what do you want, Mr. President? Do you want us to get out in front of the civil rights movement and

your own legislative proposals and programs? Do you want us to endorse some specific legislative proposals? Do you want us to stand back and slow down some specific pending legislation? What do you want?: And not a moments hesitation--I was standing right in back of him-- the President puts his arm around Morris and says, "Morris, I'll tell you the kind of conference I want. You've been down the Pedernales at the springtime. You know what it's like." I looked over. Morris was standing over there. Morris was short, and Johnson was like a huge bird of prey standing over him--arms outstretched. Morris looked up.

Well, the President went on, his arms spread further, "In the Pedernales in the springtime, the sun begins to come up early, and it gets right high, and you just look out across the river, and you see the blue sky in the background, you see and feel the heat coming off the ground. And you look over at those trees, and you can just see"--and his hands were hovering over Morris--"you can see the sap rising in those trees. You look over at that bull pen, and you see them bulls just pawin' the ground, and you know it's time to lift up the gates. You lift up the gate, and a bull tears through that gate and finds himself a heifer and he *hits* that heifer!"--and Johnson took his fist right in front of Morris' face--"and [he] hits that heifer hard"--at which moment President Johnson stood back dramatically, hesitating a moment, then said, "and that heifer's asshole starts a-quivering. That's the kind of conference I want."

Well, from then on, it was known (at least with the staff) as the AQC (asshole-quivering conference). Our spirits were lifted.

In any event, I don't know what is ascribed as the real reason why we had the planning session, but it turned out to be indispensable because the conference would have been poor. I think it turned out to be a quite successful conference.

G: Indispensable in terms of preparing for the spring conference?

B: Indispensable in terms of being able to justify the substance of the conference, indispensable in terms of not making the kinds of mistakes we would have made as to who should be involved from the various parts of the civil rights movement and what priorities to give to the myriad issues. We had our initial agenda, but it was modified after the planning session.

We got rid of a lot of fluff. We were more at the heartland of the issues when we got to the conference itself. At the planning session, we had more confrontation, more indigestion, more opportunity to jettison discredited ideas. It gave Johnson--and I always thought this was why he believed the planning to be such a great idea--a chance to float some proposals and sample the kind of political reactions he might expect from the conference itself.

G: One has the impression from reading some of these memoranda that the White House support initially was not that enthusiastic, that you were pushing for press releases and sufficient staff--

B: Right.

G: --and White House passes, and things like that so that you could really staff up and gear up and--

B: There was considerable trepidation about this conference. There was concern expressed about who should attend. For example, I had discussions once I started to work on

invitees with, say, Marvin Watson. He thought the Conference was politically dangerous. He couldn't understand what the President was doing associating with all these "wild people" (as he called them once), who had been proposed as attendees. Harry was a staunch supporter of the total effort, and Cliff Alexander was designated to work with us. I appropriately assumed the President was supportive and he was. Bill Moyers had raised some substantive questions about the impact. Joe Califano sensed we were going to generate something that would be difficult to control politically. He was right.

Regardless, there was pressure not to move out in front too far. I was told internally, "give the President breathing room," keep some distance, use the planning session. There was palpable unease.

G: Is that right?

B: The President sensed the atmosphere correctly and got involved. He would come down to the White House mess, quite often while we were getting ready for the sessions, and he would ask what we were doing and tell us why we were doing it all wrong. He would invite all kinds of people to these short meetings, I believe, to gather reactions. I remember one time it was Dean Rusk, and I couldn't understand why Dean Rusk was there while we were working on the planning session. But all of a sudden these people would show up--I didn't know why--and the President would keep wanting us to tell what we were suggesting and why. He had the arm on us and we knew it--no question about that. He was more than interested.

You see, even though I had been a Kennedy appointee as director of the Civil Rights Commission, I came to believe that Johnson had a genuine sensitivity and commitment on the civil rights efforts *ab initio*, and that President Kennedy over time

intellectually became more and more committed and that Bob Kennedy felt the problem from the beginning. President Johnson emotionally and intellectually was determined to end discrimination, and therefore, was very much involved in the conference. I thought he was overly involved on the educational side of the effort. He thought education was going to resolve everything.

G: Civil rights as well?

B: It was in the educational arena where he was convinced, as he remarked often: "We are going to bring up all the white and the Negro children together, and they are all going to get the same opportunities, and we will assure the right to vote, but education is going to lift everybody up." He gave that same speech regularly.

G: Was there anything in the pre-conference stage that you tried to get the White House to do unsuccessfully, or go along with?

B: Have you talked to Louis Martin?

G: I'm going to see him--

B: You've got to see Louis.

G: --Tuesday.

B: Okay. Do you know Louis?

G: Yes.

B: Louis and I worked very closely together. Louis was spectacular. I have to really think back. I'll come back to you, because I really hadn't focused on what specific requests I may have made and what might have been turned down or questioned. It's not quite fair as to a total attitude, but an example--Marvin Watson saw the list for the planning session, and he said he wanted to talk to me, and I said, "Fine." So I came over, and he

was going over the list. He was put in charge of the conference security until I inherited that opportunity later. He said, "We can't have this fellow King at the planning session. He's got a terrible record!" And I said, "But, Marvin, we can't have a conference and exclude Dr. King. It's that simple." And he said, "Well, I've got to talk to Cliff [Alexander?] about it, because we just can't have Dr. King. It would be bad for the President and potentially dangerous, and …" I said, "Well, I have to tell you, Marvin, if no Dr. King, no me. I'm not taking the responsibility for any kind of conference without Dr. King. It's just that simple." He said, "Well, you know I'm not threatening. I'm just telling you this needs to be considered much more carefully. The President could be embarrassed, believe me." Dr. King was invited but it was a reflection of the sensitivity (or lack thereof) at the time. Cliff and Harry had intervened, but, again, it was symptomatic of a conflict at the White House about how much President Johnson should get himself enmeshed in the internecine warfare among the civil rights groups, background issues which could sully discredited leadership, raise security concerns, that kind of thing. It was there all the time. There was pressure on both sides. My sense was the political pressure was much stronger on the side of controlling the sessions.

G: One has the impression, too, that just the practical matter of a lot of civil rights activists having arrest records, which were reflected unfavorably in FBI reports, might have been a hurdle that you had to clear. Was this a broader problem?

B: Sure, but it became a much bigger problem by the time we got to the conference. At the planning session, it wasn't a big problem because fewer people were involved. Top civil rights leaders were identifiable, active and constructive. But it became a massive problem when we started getting to the fringe groups, and the subalterns in some of the

organizations who were not so publicly identifiable but were a force internally within the organization and constantly pressured the leadership to take more strident views.

G: There's also an indication that some of the original momentum for this planning session or conference came out of the Labor Department. Was that--

B: That's true.

G: --Pat Moynihan or was that someone else in the Labor Department?

B: I don't know. I don't know.

G: Let me ask you to describe the relationship of Moynihan's study to this planning session.

B: The day Moynihan's study came out--I can't remember the exact date--he was still at the Labor Department, assistant secretary.

G: There is a memo from you to Lee White and Cliff Alexander, October 8, 1965.

B: What was happening was I needed to get people from various agencies. We got no help. We needed to get space, and we weren't getting help. We needed secretarial help, and we weren't getting help. It was infuriating because I had to take another leave from the law firm to manage minutiae. I was not prepared to sit around for very much longer, and I remember very clearly just saying to all of them over there, "I'm doing this because the President has asked me to do it. I'm not doing it because I asked to do it, and if we're not going to get cooperation, not getting help out of you, I'll take a walk," and it was--I wasn't threatening. It was just a fact. I mean, I didn't want to be embarrassed, and I didn't think civil rights people were going to tolerate it if the conference turned out to be a fiasco. I didn't want to be a part of it.

G: Where did you get the personnel and the funding to carry it on?

B: Oh, there was--some of it, as I recall--I don't remember specifically. We'd have to do some checking. Some of it came out of a discretionary fund, I know that. I don't even know whose fund it was, whether it was a White House fund or GSA fund. It may have been the Labor Department fund. But we did get money donated from discretionary funds from some of the departments, and I don't know quite where all that came from. We got a little private money from the Taconic Foundation, Steve [Stephen R.] Currier. I think we probably got some people as a result of Steve, such as Harold Fleming and some others from the Potomac Institute. But by and large, there were--you know, we were getting people temporarily put on the federal payroll, Walter Fauntroy, people like that.

The money issue. We didn't use much money. I mean, we had to have money to get people to come into town for the session and that all came out of discretionary funds somewhere. The money side was less a problem than the…

G: Were there problems with the Departments and Agencies?

B: There were some unpleasant meetings over at the West Wing in that conference room on the second floor where … Cliff or Harry or Louis were carrying the load telling people in the various Departments "you designate someone to be a liaison with the conference and make people available because we're going to need experts in many areas, and we're going to want them in a hurry, and we're going to have to have them over here working." There was a lack of evenness in the response from the Departments. There was initially a problem with the Secretary of Labor since he was not happy with me. You see, when I was director of the Civil Rights Commission, we issued a report which he considered to be an attack on his leadership in civil rights and the Labor Department. Willard Wirtz came in, and he was enthusiastic about working together on civil rights. The response of

the Labor Department people initially was tepid, and that was one of the reasons why I had early on recommended that Assistant Secretary Moynihan be made head of the study on the Negro family, and that's what caused an endless dispute between Moynihan and me, which lasted forever.

G: That was one of the major emphases of the conference, at least of the planning session initially, was to be the black family?

B: The attack on the Moynihan book was, in my judgment, unfair but understandable. Pat's book, which as I said to him and I still believe, was tough yet subject to political attack as it appeared to reflect a monolithic family unit. It pictured a matriarchal society without the father's presence, without father's discipline, and suggested the situation was destined to get worse. History shows that observation was not flawed. So, I thought it made a contribution, and it was one of the reasons for my recommendation to the conference council that Moynihan head the family planning session.

G: Who would do the approving?

B: The conference members. When the recommendation came up on Moynihan, I don't know who it was, whether it was A. Philip Randolph or whoever, told the President that that recommendation was unacceptable to the civil rights people and that they would take a walk on the conference. The President told me that he wanted Moynihan withdrawn as chair of the family panel but wanted to be protected on that, and I said, "Well, I understand. The instruction's difficult, but"--and he said something to the effect that I couldn't find my ass with both hands. And I said I'd do what I could, and he said he didn't want a lot of political flak and fallout. And I forget how I finally worked it out to

get that withdrawn, but I did withdraw it without saying the President told me to withdraw it.

G: Was he critical because you had already advanced that element of the program?

B: Yes, because the President assumed that I had already told Moynihan. I said that I had not told him. So, the President was mad because he thought that he was going to get into a major public fracas over something that he didn't need. He said it could be a damaging issue and might affect the civil rights sessions negatively. It was a difficult issue and one that I could have handled far better. In retrospect, the civil rights leaders and their immediate followers were hurt, bloodied, and by that point, so--I don't know--anguished about where our country was going, frustrated about what was happening, and they picked the Moynihan treatise as the target. It was never, in my judgment, given an opportunity to be ventilated fairly. The issue became conjoined with the position of where you stood: "Are you with us? Do you know what we are trying to do, where we have to go? Are you marching with us, or not? If not, you're going to ask that Pat Moynihan have a prominent role, and that his treatise be the basis." I thought it ought to be as part of the dialogue. I thought we ought to have used that treatise as the basis for a discussion, but it was political misery to try to do it. And the President sensed that right quick.

G: In retrospect, should it have been used even at the expense of politics [or] would the heat have simply been too great?

B: I confess that the heat would have been great. It became a weapon, and I think it could have generated a civil rights walkout.

G: Is it correct that the black leadership felt that treating the black family structure as a cause rather than a symptom would divert attention away from the other ills and injustices, that this would provide almost an excuse or justification for the discrimination that remained? Was that basically where they were coming from?

B: That's a good question. I am not sure. I'll tell you what I believed. I believed that if you took the most bleak statistics from the Moynihan book you would be forced to the conclusion that the--Negro community as it was then known--was in a state of despair unmatched in the history of the country, that there had been few measurable advances, there was at least a question of male leadership within the family. There has been created no cultural environment which led to inadequate commitment to excellence in education, that you had a combination of poverty, mothers without jobs or mothers without jobs with no way to take adequate care of the children.

In short, one of the problems of the Moynihan treatise was that it scared a number of the civil rights leaders into concluding that the problem was of such massive proportions that the frightened white community would not be able to deal with it on a rational, segmented, "do-able" basis. Their expressed, right or wrong, fear was that if you took the report as absolutely factual, the problems confronted were overwhelming, unmanageable and, in short, hopeless.

G: Aside from the political hazard, did LBJ understand, did he address, did he think about the nature of the Moynihan study?

B: It was interesting because when we were going over some issues at one of those mess sessions that he came to, he asked what we were doing. I remember having a one-page kind of check-off list of the various areas that we intended to cover in the planning

session. One was called "The Family." "The Negro Family." Johnson asked me if I had read the Moynihan book, and I said, "I've read it *in toto*," and Johnson responded, "It's a pretty good book." And I said, "Well, Mr. President, did you read it all?" And he said, "Well, I've read parts of it, and I've talked to Pat about the book." My impression was that what he had read, or what he had read in summary of it, would make a useful political platform to launch a major educational uplifting program. The President said, "You know that civil rights leaders are mad at it and I don't need the heat. You take care of that." But I had already started the ….. by recommending Moynihan and I told the President so. He said, "You can un-recommend him."

G: Was LBJ suspicious of Moynihan, do you think?

B: How do I know? He was suspicious of everybody, I think, but he was suspicious of what Moynihan's motives were. He kept asking me, "What the hell is he getting out of that?" [Laughter] But that came up later, and I don't know--you see, I think he always perceived Moynihan as a Kennedy person, you see--

G: Did he tie him to Robert Kennedy?

B: Yes; New York, Bob Kennedy, all that kind of stuff because--the President chewed my head out at another time when I was quoted in *Time* magazine as attacking [the] Alliance for Progress. So I'd been through this with him before. Yes, if he was suspicious of Moynihan, he saw a perfect way to handle the matter. Me.

G: Let me ask you to recount the attack of the civil rights leaders.

B: How it took place?

G: Yes.

B: Well, it took place--

G: Was this in a meeting, or did they--?

B: Oh, no. It was continuous. They first talked to Walter Fauntroy, I know that. They talked to Cliff Alexander. I don't know if they talked to Harry.

G: Well, did the Big Six leaders--?

B: They were attacking the Moynihan book and position publicly, and the--I can't remember whether it was A. Philip Randolph or Roy Wilkins. The President really respected Roy Wilkins who was a smart and competent. He knew how to play politics with the President.

In addition, [the] Southern Christian Leadership Conference talked to Walter Fauntroy, and then Roy, I think, got hold of Cliff, and I can't remember the whole sequence, but bit by bit, they all started coming in to see me and saying Moynihan cannot chair the panel on the 'Negro Family.' Harold Fleming came in to see me, too, because the civil rights leaders went to see Steve Currier in New York, and Steve was a financier of the civil rights movement and Steve got in touch with me and said, "This is really going to cause great problems." So by the time that they'd finally gotten the President's full attention through the council and everybody else, I knew I was expected to do a *mea culpa*. The President made it clear that he did not want to be the one to get into a public dispute with Pat Moynihan. "Just get this done."

End of Tape 1 of 1 and Interview I.

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