INTERVIEW I

DATE: March 1, 1979

INTERVIEWEE: CLIFFORD P. CASE

INTERVIEWER: MICHAEL L. GILLETTE

PLACE: The Cosmos Club, Washington, D.C.

Tape 1 of 1

G: Perhaps we can just proceed chronologically.

C: All right.

G: Do you recall your first association with Lyndon Johnson?

C: I'm not sure. I think the first time that I noticed him particularly and he noticed me, as far as I know, was fairly soon after I got to the House. I made a speech--my maiden remarks were rather early in the session when we were considering adoption of the House rules. Normally that's a routine matter but this time John Rankin had indicated that he was going to use that occasion to add, by a new rule, a special committee to investigate un-American activities, make it a permanent committee. They had had a temporary or ad hoc one as I recall it. The Democratic leadership didn't want this, but they couldn't stop the matter coming up on the adoption of the rules. So that happened.

Rankin, he was a member from Mississippi, was a professional anti-black and anti-communist, anti-what you will, and made a career out of that pretty much, apparently to the satisfaction of his constituency, for a very long time. Well, I made a speech in

opposition to Rankin at that point, one of my first speeches. Lyndon, I remember, noticed it; he mentioned it to Eddie Weisl, who told me that Lyndon had noticed it. I thought that was very nice. That was the first, I think, that he had noticed me or I was really aware of him, fairly early on in the House, to which I went in 1945. I think he had been there about one term before, I'm not sure which. Does it show here?

G: He was elected in 1937.

C: Oh, then he had been there several years.

G: Did you regard him as a protege of Sam Rayburn at that point?

C: I think that was pretty clear, yes, that he was. I think that was just one of the givens that you accepted. There was no question of course but that Rayburn was the leader, not only of the Texas delegation but of the House. Lyndon Johnson always deferred to him and I think never considered doing anything else. His admiration for and deference to and reliance on Rayburn was a lifelong characteristic, I think.

G: He came to the Senate in 1948 and you were elected in 1954.

C: That's right.

G: Is there anything prior to this phase that you recall that's significant, anything while he was still in the House, or while you were in the House and he was in the Senate?

C: I don't recall anything. No, I don't.

G: You entered the Senate, I guess, when McCarthyism was still pretty much a factor.

C: Yes. He had come up for action by the Senate on a motion to censure or otherwise discipline him. That came to a vote in the summer of the year in which I was campaigning, so I wasn't here at that particular time. Of course, McCarthyism was very much a matter that was on the public mind generally and very much a part of my campaign. You couldn't avoid it, nor did I want to particularly. I took a fairly clear position against it and against his being chairman of the committee, which brought on my head the wrath of a considerable number of people and also support from a great many people, because he was by no means unanimously approved of in New Jersey. Probably a majority of the people, if they thought about it at all, were not fond of what he was and what he stood for and so forth. But he had some very strong pockets of support: veterans, some religious groups and whatnot.

I do remember--this is hearsay, I just have to say it--that Lyndon was majority leader during that time before I came into the Senate, just before, and when the censure proceedings were going on and finally culminated in a vote of, I guess, mild censure of some sort, I was told, and I think this has a bearing on his general attitude toward the Senate, towards members of Congress and individuals, that he--Johnson--would accept the censure and finally did. He wasn't a leader in the fight against McCarthyism at all, but he did go along with the proceedings to censure. But he made it very clear to the Republicans and those who wanted stronger action that he would not stand for any stronger action than that

which was taken. In other ways he was quite moderate in his view, and I think it was based largely on his feeling that members of the Senate should have a great deal of leeway.

G: Did you regard Lyndon Johnson as pretty much of a partisan at this time when you came into the Senate?

C: Oh, I think he was partisan from inside all the way out, all the time, no question about it. He was so thoroughly partisan that he just didn't have to think about it. It was only one thing, as far as he was concerned. It was just understood: the Democrats were going to run the show and he was going to run the Democrats. It wasn't open to question. He didn't object to Republicans existing so long as they didn't have any important role. He would always defer to their proper rights as a minority, but never any question of leadership.

G: I gather that he did enjoy picking up stray Republican votes when he could, people like Molly Malone and Bill Langer. He even managed to get Everett Dirksen to support him quite often.

C: That is one aspect--and it's true, he did that--of the fact that politics and leadership, the exercise of power, was at the very core of his existence. He was never without thought of it or of any attachment or association that would be of help, at some time in the future for instance. It even, to some extent, affected what I think I mentioned to you before we started to go on tape, that the White House years, as far as Mrs. Case and I were concerned, were the pleasantest during Johnson's time than any time we had,

because he made a point--and Mrs. Johnson in a very gracious way supported this--to have informal meetings with members of the Senate and their wives, relatively few at a time, in which both participated. Both of them participated with us and our wives, sometimes part of the meeting together, part upstairs. The girls would be with Mrs. Johnson in their private apartment and so forth. This, I think--I'm perfectly sure--in the case of both of them had two purposes. One, they were gregarious and very gracious as hosts, and secondly, I'm sure they were not without thought that this was not wasted effort on their part. I don't think anybody ever thought there was anything wrong in that. I didn't and don't.

G: Did you think it was an effective means of getting support in the Congress?

C: I would draw a distinction between friendly relations on a personal basis and--I don't think that that has any very much effect when the crunch comes on a matter of either what people regard as nationally important or a matter of individual conscience. I would never, and I don't think any member of the Senate that I know of, would change his vote or vote differently because either he had been nicely treated by the President or that he liked him. You just don't do that. Some young people did for a little while. He trapped several youngsters into it. I will not name names, but I know of one young liberal Democrat who came to the Senate and because the Majority Leader was nice to him and twisted his arm, he voted, quite contrary to all his convictions, for continuation of the depletion allowance for oil. He

never did it except that one time, because in addition to his conscience reasserting itself, his constituents asserted themselves. That one thing happened, but this was a rather occasional [thing].

Now there are stories--I don't know this and so I probably shouldn't do more than say that, but I will since they are not really malicious and are a matter of common discussion and common report, been in the newspapers and many magazine articles. Things like Lyndon's dealing with Theodore Green, whose overwhelming desire was to end his days as chairman of the Foreign Relations Committee, and who also had a very strong liberal constituency and record and, I think, personal inclination. Lyndon was reported to have said to him, "Theodore, do you want to be chairman?" Theodore said, "Yes, I want to be chairman." Lyndon, I don't think had to say, "Well, you know how to vote on oil depletion," but he voted right.

There were occasional instances of this sort of thing. I do not recall any myself and that was probably because of several things. One, he maybe sensed that it wasn't exactly safe to ask me, and that two, perhaps his friendship with Eddie Weisl had something to do with it. He didn't want me to tell Eddie he'd done that sort of thing. I don't know. It's just speculation.

G: Did you ever feel the Johnson treatment in terms of trying to get you to support something that you were ambivalent about or not strongly against?

C: It didn't work on me. Oh, sometimes he would. . . . I have such a vague recollection of it that I would hardly do more than say that I have a sense of several occasions in which he raised a snort or something like that about the way I voted on something like this. He was somewhat aware of me for a long, long time, as something maybe he didn't altogether understand or something like that. This episode that Arthur Schlesinger talks about, which I hadn't known about until I saw it in his book, apparently had some basis in fact. I think someone in the ADA was complaining about his votes and he pulled this thing out and said, "Here's how my record lines up with Senator Clifford Case. You think he's wonderful and you're putting me down all the time."

G: Why was that? How did his voting record compare with yours?

C: I don't know. I never checked them. I just assumed that either on the basis of a careful selection or of the actual fact, that his was just about the same as mine on many things. It wasn't true on oil. That was one specialty of Texas, of course. You would understand that precisely.

G: Did you regard him as a moderate or a conservative or a liberal?

C: He was a populist kind of guy, a Sam Rayburn liberal, and by no means an extremist. I remember a statement Sam Rayburn made in reference to the labor relations act. Johnson voted for the Taft-Hartley Act, and supported it throughout its progress in the Senate when efforts were made to weaken it. Sam Rayburn never did. I think

he was a little bit stronger or perhaps a more consistent populist even than Johnson. Sam's statement at the time was that in his experience whenever any important segment of America is against a proposition or is for it, especially if they're against it, then you ought to realize that it isn't a wise thing to do, or something like that. I don't mean to make it sound as if he were doing this for votes. I think he really felt that if people were going to get along in this country together, what important segments of the community feel is important to their interests, ought not to be disturbed. Johnson didn't think that applied in the Taft-Hartley Act, or he rose above the principle on that occasion. In any event, he supported the Act. He also, I think, had a different sense than Rayburn about the strength of public support for some sort of restraints on labor at that time. It was a very popular move, as a matter of fact, except in specific labor circles.

G: How would you contrast him to Bill Knowland as far as the Senate leadership is concerned?

C: I always had a feeling that Johnson loved the work; I wasn't very sure that Bill liked the work at all. He liked to be the leader; he liked to be in the position, I think, of being the leader. But I don't think it was nearly as important to him in relation to his stand on issues as it was to Lyndon Johnson. I think the exercise of the authority of the leadership and the practice of politics is what fascinated him, and I don't think it did Bill so much.

G: Was he more subtle than Knowland in exercising leadership?

C: Oh, I guess so. Texas boys have it in their blood. You know, they're natural smoothies when they want to be. (Laughter)

G: Could he outmaneuver Knowland?

C: I don't know. I don't think on anything important. Now you could show me something and I would say I was wrong. There may have been instances of this. I wasn't aware of them particularly. I would think he would not try.

G: His majority was so slim, I think just one or two votes.

C: Well, actually, yes, there was a very close thing, I think until he was president and fell heir to the batch of unfinished business that Kennedy left and couldn't finish because he didn't know how. President Johnson came along and did know how. Also in the crest of broad sympathy and whatnot for the Kennedys he got a lot of things done that hadn't been done and had been hanging fire for years. But he didn't do that in the Senate very much.

G: What were his links to the Republican Party while he was majority leader?

C: As far as I know they were personal.

G: Did he work through Knowland, or did he have other Republicans that he was close to?

C: Well, you mentioned before there were a few mavericks, and he was aware of who they were. That was a part of the trade, to know these

things, and [he] would know when and when not they might be persuaded to vote his way. They wouldn't always be the same issues either that those different mavericks were persuaded to go along on.

G: Can you recall any particular examples of persuading senators to cross party lines?

C: Well, I remember those two instances I spoke to you about of Democrats who were persuaded to leave the liberal camp for his sake. At the moment I don't think of his reaching out for Republicans. I acquiesed when you made the suggestion that he would do his best to play upon mavericks in the party, people like Langer and Molly Malone and one or two others might be of that sort, were I think. But I don't remember instances where actual votes were changed.

G: I suppose that all senators, Republican and Democrat, had to depend on him to a certain extent for getting legislation passed that they were interested in.

C: Oh, sure. That's true.

G: Now, did you deal with him directly on this score or did you work through your own party leadership?

C: I think the thing, as far as a broad issue went, on which I had most contact with him was the civil rights question. And there we tried to work with everybody. It was a bipartisan group for it, a coalition of organizations which formed the civil rights leadership, counsel or something of that kind, which generally speaking was composed of people who were Democrat in practice or in temperament or whatnot, but also who would cross lines and reached out and had some of us Republicans strongly supporting this cause with them.

It's hard to say, and I wouldn't be quite accurate, as far as at least I'm concerned, to say that I worked closely with President Johnson in this effort. I think I worked closely with the people who I knew were strongly interested in this from the beginning. One of the things that we were concerned to do was to get both Republican and Democratic leadership working with us and putting all kinds of legitimate pressures on them and making it easy for them to come along and whatnot, rather than working with either one. Now I'm not saying that President Johnson was against civil rights; I'm not saying that at all. I'm just saying that even if he had been for it, his instinct would have been to let people persuade him and thus put them under obligation to him. I mean, he never forgot that, never, because he's a politician from the word go. Everything was tied into everything else. It was a continuous stream of activity and of relationships. Things were not chopped into segments like that at all. It was one of the reasons that he enjoyed politics so.

G: I have the impression that as majority leader he may move a project that you were interested in all along, very close to passage, and hold it up there until an important vote came up and he got the vote he wanted on it.

C: Well, he may have done that with some people. I would by no means say he was incapable of doing that. He was capable of it and willing to. (Laughter) I would think it was only the appropriate exercise of political opportunities. I've not anything of my own that I recall there.

G: What were some other techniques that he would use?

C: He would never let up, whether he was kidding or not sometime, and I doubt that he ever kidded very much; he would never let up. Whenever he saw you he would upbraid you for something you'd done that he didn't like or praise you for something that he did like. I mean this was just a constant, constant thing. You've heard of all the stories that Hubert Humphrey used to tell about Lyndon Johnson getting hold of you by your neck and bending your head back and looking up your nose while he talked to you about these things. You know, that kind of stuff. (Laughter) He did that.

G: I gather that timing was important, too. He knew just when to bring a measure to a vote.

C: Yes, he did, and this was partly undertaken and partly plain hard work. He did an awful lot of work. He could be brutal, never to my knowledge in the Senate or to members of Congress, but I remember one instance when he wanted some kind of legislation for authorization to ship wheat to India, because of famine situation. He had a number of us down to the White House--he wanted action quickly--in the evening, and he had his cabinet members there, including his secretary of agriculture; I've forgotten now who it was. There was quite some discussion about it. It came up very much of a hurry. He asked the secretary to explain the matter, which he tried to do, with some difficulty because it was so very fresh. Somebody--I forget whether it was a Republican or Democratic member, there were both kinds of us there, a group of maybe eight or ten--one of the members of the

Senate asked a question. The secretary said, "I'm sorry, I don't know the answer to that." Johnson said, "Goddamn it, why don't you go out and do your homework?" He was absolutely ruthless in treating people who were closely in his power. I would have quit right then, president or no president or anything else. This was inexcusable in my mind as a way to treat another human being. So there was that element of brutality in him, too, of lack of consideration, which I never saw exercised personally except that once, and which I never saw exercised, of course, in respect to any member of Congress. But he was obviously capable of it. Now, I don't know whether that episode has been told before by anybody or not.

G: I'm not familiar with it.

C: But it was true. It made everybody, as you can imagine, extremely, extremely uncomfortable, including I think pretty quickly himself.

G: Do you think that these losses of temper were voluntary or involuntary? Do you think he would do that for a purpose or would he just lose control?

C: This had so little chance of being constructive as far as his accomplishment of his aims were concerned that I don't think it was studied. In fact I'm almost certain that that was an utterly natural and not planned episode. There was nothing to be gained by it at all, and there was a lot to be lost. And he lost a lot in that thing.

G: As you look at this outline here of issues, do you recall the process in any of them whereby the legislation was passed?

C: Which legislation?

G: Well, just any of them.

C: Any matters at all here?

G: Do you recall his dealing with other senators or getting the votes? For example, when the minimum wage bill was passed, raising minimum wage from seventy-five cents to a dollar.

C: I don't recall anything.

G: The Capehart amendment to the housing bill?

C: I was just looking at that.

I don't think that there's any question but this all happened this way, and it didn't seem to be unusual. I think any leader would have done the same kind of thing.

G: But can you fill in any of the details of, say, how he was able to get Senator X to vote for him?

C: No, I don't think I would say there was anything extraordinary about that. I think he used every lever that there was, both direct and indirect, or working through constituents, working through people in his district, working in every state, all that sort of thing. But that's par for the course as far as leadership goes.

G: Did he ever have any of your constituents in New Jersey coming to you to get you to support him on something that he was interested in?

C: No, not that I recall. In general one reason for that was that I was voting the way he wanted me to in any event. I mean, I think that's almost exactly true. One of my problems always has been that people say that I'm more like a Democrat than a Republican, but that

was not because of any pressure on the part of people like Lyndon Johnson. It happened to accord with my own thinking from early on. But I'm sure, utterly sure, that he would know in general, especially among the Democrats, some Republicans, too, what the influences were that he regarded as important to him, whether it be labor, whether it be civil rights groups, whether it be business, whether it be oil, whether it be agriculture, the farmer, anything. It's natural, you know. This is part of the general equipment of a leader and also just of a politician. He worked hard at the job and incessantly. I think that was one of the great things about him. In that respect, Bobby Byrd is very much the same. He's incessant. That's how he beat Kennedy for the spot he got, when Kennedy wanted it and everyone thought he would get it. He didn't because Bobby Byrd did his homework. And Johnson was always doing his homework.

G: Have any recollections on the establishment of the space program?

C: No, not in connection with Johnson. No, I don't. Except insofar as it may have had some of its early origins in the so-called missile gap thing. I may be wrong about this, but I never was able to perceive any particular connection between the early Johnson attack on the so-called missile gap and the development of the space program as such. Undoubtedly it had some general effect, but that thing really didn't get going, as I recall it, until Sputnik.

G: You were on the Aeronautical and Space Sciences Committee, were you not?

C: I was, yes, for not too long, but I was on the committee for a while.

G: Did you have any insight into why that manned spacecraft center was located in Houston? Do you think that was more Johnson's doing or Albert Thomas'?

C: I don't know whose particular influence was the greatest in these matters. They were not at loggerheads about it. (Laughter) It was outrageous the way the South for decades took all of us up North to the cleaners in these matters. He has his full share of participation in that sort of activity but he was by no means exclusively involved in it. There were many others, including some who are still in Congress, most of them highly respected senators and members of the House.

G: Now if you wanted to get something for New Jersey, and of course the Democrats controlled the Congress, would you work through Democratic colleagues or would you deal with the leadership yourself?

C: Well, I'd try and deal with everybody. But it's always been my conviction--I've never seen any reason to change it--that people would be for things if it was in their interest, and they wouldn't be if it wasn't. All the finagling you did wasn't going to have much of an effect, except it might be related to the question of proving it was in their interest, either short run or long run, and that the application of direct pressure was probably the least effective in the various things that could be brought to bear.

G: LBJ used to pride himself as being able to support President Eisenhower more often than some members of his own party in the Senate. Was this the case?

C: I never really attempted to draw up any balance sheet on that. There were certainly a great many instances in which a lot of Republicans went along with President Eisenhower, if they did at all, very reluctantly, and in many cases they didn't. In some of these instances, especially in matters of foreign policy, I think that Lyndon Johnson would. It was a natural thing. It wasn't done in order to placate the President; it was done because he generally believed in that particular course.

G: Did you have an opportunity to observe his relationship with President Eisenhower and also Vice President Nixon's relationship with LBJ?

C: I can't think of the kind of close and direct factual instances of my seeing such things in any great number. The general impression that I had was that his only real trouble with Ike was that he was a Republican. That in itself was a very substantial amount of trouble for a fellow like Lyndon Johnson. As far as President Nixon went--Senator Nixon before that--he had absolutely no use for him at all.

G: Why not?

C: When somebody can explain that to me and to history I'll be interested. I wouldn't attempt it. Right now I just don't know. Well, there are certain things about the President; there are these episodes. I try not to be very critical about this at all. President Nixon, in his own way, had a very strong political instinct and a high degree of partisanship. But I think basically when you take everything away

and discount all the arguments by proper grains of salt and whatnot, you come down to the fact that they just didn't like each other. President Nixon had the kind of personality which made it very difficult for many people to like him. I think that probably is basic to this whole thing.

G: On the other hand, he and LBJ and Everett Dirksen seemed to have been quite cordial friends.

C: Maybe so. If so I'm not just aware of that.

G: It didn't seem that way to you at the time?

C: No. In a general rough way I think that Dirksen and Johnson would get along pretty well. I was not aware that either one of them had any feeling of closeness to President Nixon though.

G: Anything on the Lewis Strauss nomination?

C: Only in the most general kind of sense. This was one in which I think most of us Republicans rallied together and most Democrats the same way, for and against. The thing that sticks in my mind most about that one was the ardent, persistent, implacable dislike that one of those senators from the Southwest--

G: Clint Anderson.

C: Clint Anderson--had for Strauss, which was probably the reason that, I think by a very small margin, he was defeated. I never was clear entirely as to what the reason for that was. But there was no question about its existence. It had apparently some historical reasons that I just didn't know; I didn't happen to know. I don't recall that Johnson was other than taking full advantage of that,

stimulating that dislike and egging Anderson on. I think he had let Anderson take the leading role in that pretty much, as I recall.

G: In the wake of the Brown decision there were a number of measures by conservatives to restrict the power of the Supreme Court. HR3 was one. I think there was a bill introduced by William Jenner. Do you recall any of these measures?

C: No. They came thick and fast.

G: Or Lyndon Johnson's role?

C: In general it was a moderating one, as far as I can recall. I don't recall anything else than that. I never had any personal reason to doubt the genuineness of his belief that this civil rights matter was one whose time had come. He was not a fanatic for it, but this again is a general impression rather than specific. Well, we had a number of occasions in which we talked, discussed this thing and dealt with each other. I certainly don't want to go into people's motives or judge the relative validity of the honesty of their support or opposition to things like that. But I didn't have any reason to doubt that Johnson was in favor of making moderate progress in this matter, not more than that and not necessarily at the cost of other objectives that might be involved. But genuinely he was pleased when something like this was done.

G: How was he able to keep the other southern senators from supporting Strom Thurmond in that filibuster in 1957?

C: Well, let's see now, was that before Strom changed parties? No, I guess it wasn't. He was still nominally a Democrat, I guess. But

there wasn't very much doubt but that he didn't belong to the same party as Lyndon Johnson, even if they both called themselves Democrats. I guess he had run for president--sure he had; he had run for president against Truman on whatever the ticket, the Dixiecrat ticket. Who was his vice presidential running mate, do you remember? It couldn't have been Dick Russell, was it?

G: No, it wasn't.

C: In any event, even though he had not yet switched parties to the Republican party, he was anathema to the regular Democrats and it was that that then Lyndon Johnson, majority leader, was able to rouse to the point of isolating him, not letting him be the boss: "This isn't our party," and so forth. I think that was mainly what it was.

G: Was he able to get a compromise with Dick Russell on that bill? You know, you hear the stories about Part III being removed.

C: Hard to say there was a compromise. I think Russell was actually beaten on that.

G: Really?

C: Well, who can say? I've no knowledge of any deal that they made. I have the feeling that Russell felt that as far as that bill went, the jig was up and he was deeply, deeply sorry about it. I don't think he regarded the various things that were done to moderate it really as any consolation at all. That's my own feeling about that. Certainly Johnson didn't get any great elation out of humiliating people like Russell. He liked them very much and felt very close to them. They were Democrats, after all.

I remember one story about old Senator Byrd, young Harry's father, shortly after President Eisenhower was elected. Harry Byrd was accustomed to deference from presidents whether they were Republicans or Democrats. He had made some suggestions about a staff person for some agency. I don't think it was the White House. It was some place where he had had a lot of intimate dealings and had some reason to expect that he was going to be treated with deference. He got brushed off. He, I remember, called up Lyndon that afternoon and said, "Do you know what those bastards did to me?" Johnson expressed-and I'm sure it was honest--utter horror at the way they had treated his good friend Harry Byrd. And Harry Byrd is the most conservative guy in the world, nothing like Lyndon in many ways at all. But on this question of a Democrat getting proper treatment from a Republican, they saw absolutely eye to eye. (Laughter)

G: You often hear that there was a Senate club. Was there a club?

C: Oh, a group of men can't work together day in, day out, year in, year out, without having a very considerable amount of personal regard, tolerance, deference, and a willingness to abide by the rules and see that people from outside, within limits and all, didn't interfere with the legitimate rights of anybody else. Because it's all a matter of "It's your problem today; it will be mine tomorrow," that kind of thing, perfectly right in my view. In what some people would think would be the way this might operate, I don't think it really did to any important extent.

There are so many different aspects of this relationship. There is, and always has been, a great reluctance on the part of the Senate to discipline its own members. Now this is a perfectly understandable thing. It is not easily understood by people on the outside, who would quickly say, "The Senate should take action to prevent so-and-so from doing thus-and-so which is beneath the dignity of the body," and all that kind of stuff. There is a very strong feeling in the Senate that each member represents his state, and that it's the people of his state to whom he is responsible, that he should be allowed great leeway as far as his activities in the Senate itself are concerned, to the point where I don't remember that a senator has ever been expelled. [There have been] very few occasions, you can count on the fingers of one hand I think, in this century in which he's even been reprimanded or called to account. There are lots of good reasons for that. The chief one is, of course, that you're there to do a job over a long period, six years at least in each term, even if you're not re-elected. People have to work together. They've got to get along. It is undesirable to go into this business of disciplining each other because this will lead to cliques and back stabbing and all that kind of stuff, which we can get along very well without. If people need to be disciplined, let the people of their state do it.

I'm not at all sure that this isn't the best rule generally, although I am strongly in favor of requirements of publicity about all kinds of activities, financial relationships and everything else,

that will make it possible for the people of the state to know whether they want to keep this guy or not. But to rely on the Senate is just about really as naive as expecting doctors to discipline themselves or lawyers even. I don't mean that the efforts are not made, good faith efforts in both cases. It doesn't very often happen. Whether as rationalization or not, there are plenty of people who would strongly urge that it shouldn't be the responsibility of a doctor to pass on another doctor. It will make that second doctor timorous about acting in his best judgment in an emergency in the future if he has the feeling people are going to look over his shoulder all the time, calling him into account.

There is a great deal of validity--it isn't a complete answer by any means--to that. It also, of course, can be attributed to something less than pro bono motives. I'm not going to try and assess the mixture at this point. But I do know that in the Congress and in the Senate there is a very strong reluctance to sitting judgment on your peers. Whether that is right or wise or not, it exists, and I don't think it's going to change. So I think we ought to accept it as a fact and try to deal with matters of corruption, of improper motives, conflicts of interests, et cetera, in other ways, mostly by publicity. The most unsought, unattractive job a guy can get in the Senate for instance is on the ethics committee, for perfectly good reasons. It's a dirty, unpleasant, unrewarding task--I don't know how I got off on that subject.

G: Anything else on the legislative issues that you recall: federal aid to schools, social security amendments?

C: I remember on schools. Of course, I've been interested myself in that for many years in the House as well as in the Senate. Johnson was somewhat of a late convert. But he was a convert and he encouraged, I know, Wayne Morse to take leadership in this area, and Wayne did a very skillful job with assistance and coaching support from the Majority Leader. I think this was a matter as to which, in Texas for instance, in the South generally, there was very little strong opposition. The religious question had to be handled in some fashion. Finally they worked out a solution of sorts which was probably the best that could be done. When that happened there was no question about its passage. Johnson, I'm sure, was for it. Wayne himself exercised the most extraordinary patience on that issue that I've ever seen. You don't think of him as being a very patient man. Nor do you Johnson, but they both did.

G: You're speaking in reference to--

C: I'm talking about aid to education now, the bill for regular federal assistance to secondary schools.

G: The ESEA [Elementary and Secondary Education Act] in 1965?

C: Yes, that's right.

G: Well, Senator, I've taken up more of your time. . . .

C: Well, you've got other things to do and I think you probably have gotten most of whatever there was. I don't know that you got anything of value at all.

G: Actually, we've covered a lot of the Senate material, but I hope you'll give me another opportunity to talk to you about the later years.

C: Why, sure.

[End of Tape 1 of 1 and Interview I]

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Clifford P. Case
Donor

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Date

Robert M. Warner
Archivist of the United States

December 24, 1980
Date