

INTERVIEWEE: EVERETT M. DIRKSEN (Tape 2)

INTERVIEWER: JOE B. FRANTZ

July 30, 1969

F: This is another interview with Senator Everett Dirksen in his office as Minority Leader for the United States Senate in Washington, D. C. on July 30, 1969, and the interviewer is Joe B. Frantz.

Senator, let's talk about the 1957 Civil Rights Bill, which as you know was the first one to be passed in three-quarters of a century, and I'd like to talk about any participation you had in the steering of the bill that year and getting it through the Senate.

D: Well, I did participate because I was interested, although my participation was not nearly as extensive as it was in connection with the larger and more expansive bill in 1964. But at least in 1957 we made a start and made it under real difficulty. By that I mean that there was still in some areas, may I say in the Senate, an indisposition to go along with some of these proposals that we thought had merit and ought to be adopted. It was not an extreme bill in any sense of the word, but it did make a start in that whole civil rights picture, and we anticipated there would be additional legislation from time to time. And so we were context to take what bread we could get if we couldn't get a whole loaf at the time.

F: In the situation like that, do you get mail primarily from your own constituency or do you get it from the whole nation, since you are a leading Republican spokesman?

D: Well, you get mail from the entire country and largely so, because there are many organizations that are interested in civil rights. That's not limited to the National Association for the Advancement of Colored People, or the Urban League who are identified essentially with the color, but from organizations like the League of Women Voters, as an example. They've always been very much interested, and there are others, of course. Now they are organized on a nationwide pattern and as a result you can anticipate that you will get responses from all over the country.

F: One of the stumbling blocks was Part III of the bill, which dealt with change in jury trial procedure. Were you involved in trying to work out that?

D: Yes, and I remember so well what a really difficult problem that was. You must remember, of course, that you have a preponderance of lawyers in the United States Senate and they all feel, I presume, even as I feel, that we are great constitutional lawyers because you live with the Constitution as a viable document every day. And so it's fair to assume when you got around to jury type trials and the refinements that were proposed that there you were going to have a lot of sharp debate and a lot of suggestions as to what should and should not be done, and so the debate on that particular item was very

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extensive and covered a considerable period of time.

F: Were you surprised to see Senator Johnson leading the fight for this civil rights bill with his own particular southern background and some of his voting record?

D: Well, I was and I wasn't. I wasn't from the standpoint of my familiarity with his views and his thought processes that go back over a long period of time. We've had so many intimate little meetings from time to time where you talk out propositions that you don't normally talk out in that fashion in public debate on the Senate floor. But you get a view of the cast of a person's mind even as he could assess my own thinking. And so we came to reasonably common ground for the most part.

F: Was a lot of this handled on sort of a man-to-man or small group basis among the leadership people to try to find what they could work with on the floor?

D: That's right. We had to do that on both sides of the aisle as a matter of fact and from time to time--

F: You mean you worked within your own party and then you worked with the Democrats, too?

D: Exactly. And we'd bring them in here from time to time and sit around the table and see what areas of agreement we could fashion with which we could stand up in the Senate and advance as best we could in the hope that there would be votes enough for its adoption.

F: In a loose sort of way, how many meetings do you figure you had with Senator Johnson on this?

D: As I look back, it seemed to be almost endless; it was either here or it was in his office.

F: He would come here or you would go there?

D: That's right.

F: And were the meetings short? Long?

D: Well, generally, in the frame of time with so many things to do, they could not be long meetings. However, when we got down to 1964, that was quite a different dish.

F: Well, I think we might move forward to '64. During the '64 debate on the Civil Rights Bill, you also had Johnson, now President Johnson, pushing for tax reduction at the same time, which gave you a little bit of a problem there, and you had promised to fight for civil rights, as I understand, for the bill in '64. Well, now then, you also offered some

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amendments to the administration bill as presented, is that not correct?

- D: Quite a number, as a matter of fact, because you had a federal-state relationship that gave a good many members real trouble; then the question was how to preserve those state jurisdictions, state sovereignty, where you thought the state ought to be predominantly in the picture as against the federal government. Now those are not easy to work out because you've got an area of thinking that believes the federal government must in every case be right on top of the heap and must have supreme power. Well, you know that certainly on one side of the aisle, and I might say, that on both sides of the aisle, you had a very substantial element who still believed that the states must be predominant, that you mustn't intrude too deeply into their affairs.
- F: In fact, it's been my observation that the charge that the South is exclusively the States Rights group is wrong. I've observed it just as much in places like Wyoming, Montana, and so forth; it is just wrapped around different themes. Did you consult with President Johnson on these amendments? Did they come as a surprise to him? Did you get any reaction?
- D: Generally speaking, he always made inquiry because he watched the progress pretty well, and then he would inquire as to what real progress was made and what the likelihood was for success and especially on certain items in which he might be interested.
- F: How does the President's office exercise pressure in something like this? You hear about this all the time. Is it real?
- D: Well, I presume it can be real, and maybe I can go so far as to say it is real, if a President wants to exercise it. But that doesn't happen very often, largely because there's no occasion for it to happen. If the President is doubtful about the outcome of an issue in the Senate and he can discover from his own leadership who the doubtful ones are, he might very well call them on the telephone. If however, it doesn't really make any difference, then there would be no occasion for him to bother. Because if he did he might put them in his debt, or he would be in their debt either one, and that's never a happy position if you can avoid it. It's only in those cases where you had to be sure that the vote was going to be close and you had to have the doubtful people on your side that you undertook to call them and say, "I hope you can give this proposal a vote." Now you can't exactly say that that's pressure; there's nothing coercive about it; there is no threat about it; it's just the request of a man, clothed with executive authority--
- F: If someone says the White House is calling, that is pressure whether it's intended to be or not.
- D: Well, I don't know how many times the President has called me and how many times I've called him, but when he has called me about a matter I never considered that to be

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pressure, because I would have perhaps a very decided view on the subject and would simply say, "Well, Mr. President, let me just outline very briefly for you what the basis is for my views." And I just don't depart from that. Well, if that was the argument, I don't know that the President ever tried to overcome my conviction on the subject, but I remember occasions when I undertook to overcome his.

F: For instance?

D: Well, for instance, it could have happened in civil rights as well, but I think back to that effort to repeal section 14-B in the Taft-Hartley Act, under which the states can have right-to-work laws if they want to and they have to be respected. Now, he called me a time or two about it, and then I called him, and then I went down to see him, and made it, I thought, abundantly plain, first, that we had enough troops on both sides of the aisle to stop that sort of thing, that it just couldn't win and he [might] just as well withdraw it--

F: It's a futile fight anyhow--

D: So in the interest of conserving the time of the Senate, why doesn't he withdraw it? That was pressure from me on him, not from him on me.

F: Is there a tendency--you've served under both administrations and under quite a number of Presidents--is there a tendency on the part of a President, regardless of party, whenever an issue is before the Senate or the House and the administration has sufficient votes, to let someone within the party go ahead and vote against the administration bill to satisfy his own constituency on the basis that this makes him a little more effective person back home?

D: Yes, obviously you've got to have that in mind. No two constituencies react exactly the same. I've often pointed out that in areas like welfare, housing and so forth, you obviously get one point of view out of a state like New York, but you go out to North Dakota, South Dakota, Montana, there the question of public housing isn't nearly so important as it would be in the metropolitan center. But conversely you take New York again, where you have a consumer interest, in the farm states you have a producer interest, so when it comes time to deal with farm legislation, well, that little problem comes up, and it's usually the root of the controversy. So you'll find those from the states where you have large metropolitan areas going in one direction because they're representing an essential consumer interest, whereas on the other side, smaller almost entirely agricultural states, they're thinking of their farmers and the prices the farmer gets.

F: Well, now, back to '64, you had the Civil Rights Bill under debate, tax reduction under debate, and you had certain amendments, of course, on the Civil Rights Bill, and you wanted to eliminate certain excise taxes; was there any sort of a trading on this that you can recall?

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- D: No, there wasn't. It was a rather well defined issue, but coming from a state where you have lots of retail stores, for example, they were so anxious to get some of those excise taxes repealed, first because they didn't produce too much revenue and secondly, it was usually a bookkeeping nightmare for most of the little merchants. Now that was not only true of my own state, but that was true of nearly any commercial state, shall I say Connecticut for example or New York or Massachusetts, and they readily fell in with it. Well, I undertook to get those repealed if I could, and I was on the Senate Finance Committee at the time, which had jurisdiction, and finally I did succeed and got them repealed in committee. Well, there was, as I recall, a record vote in the Senate, the bell had rung, and the committee had to adjourn, and we came back to the Senate floor. The chairman later reconvened the committee about two o'clock in the afternoon. Not to be invidious, I had one vote on the other side of the table of which I was a little proud, but when we went back somebody moved to reconsider the vote because it had not been nailed down why that vote changed. Subsequently I made inquiries from that individual Senator. I said, "You're a fine fellow, here you told me how interested you were because of all your merchants and your little shops and you give me a vote and we come on the floor to vote and get a little lunch and we come back to committee and suddenly you change your mind." Well, he was rather sheepish about it. Finally, he said, "Well, what do you do when the President calls you up and tells you he needs the vote." Well, it's that simple.
- F: Do you want to identify him, or do you want to leave him--
- D: Oh, I'd rather leave him like he is.
- F: This is subjective, but I think it's worth a guess. When Johnson became President at the end of November '63, shortly after that, the Civil Rights Bill was reported in December out of the House committee. Do you have any idea what caused Congressman Halleck to support it? This surprised some people.
- D: Well, I must say for Charlie Halleck that he took a rather broad view, and obviously he served in the Eisenhower Administration; he and Eisenhower were very close friends as you know and that had some impact on his thinking. And I presume also the fact that he came from a school town, as I recall, in Indiana meant that they were in close touch with him always, and no doubt he'd received letters, telegrams, telephone calls from there, where you've got a slightly more liberal expression of viewpoint than you might from some other area. And there was the fact that Charlie and I, when we were respectively the minority leaders of the House and the Senate, we had much in common, and we conferred very often in order to determine what, after all, was the national interest--where lay the good of the country. Because we'd go on the theory that the well-being of the country is so closely identified with the well-being of your own party.
- F: Again, being subjective, do you think JFK could have put through the bill?

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D: Well, you know their approaches (end of tape)

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