INTERVIEW IV

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INTERVIEWEE: DAVID GINSBURG

INTERVIEWER: Michael L. Gillette

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

Tape 1 of 1, Side 1

DG: Well, one of the key problems in connection with the report, which recommended so many major expenditures, was how the effort was going to be financed. I very clearly recollect the discussions within the commission [the National Advisory Commission on Civil Disorders] as to what we were going to do about it. The best idea that arose, at least I thought so at the time, was that we were going to finance the cost of the programs essentially from what we thought of as the fiscal dividend. What did we mean by the "fiscal dividend?" The fiscal dividend was simply the proceeds of taxes as they came in each year under fixed rates. If the economy was growing, obviously the tax return would be increasing each year.

So, what we were planning to do was to recommend to the President that the fiscal dividend be utilized to support these programs. Now, what does it mean, to support these programs? How much would these programs cost? The reality was we didn't know. We did have some, obviously, global judgment, and it varied about close to something like thirty billion a year after it would be introduced. Clearly, an effort of this kind couldn't be enacted and then implemented. It would have to go into effect gradually, over a period of

three to four years, and little by little each one of these problems would be attacked. And so we looked at the fiscal dividend and we had a whole chapter written on the fiscal dividend. It was all written, laid out, prepared for the report. I remember talking at great length to Charlie Schultze about it, with others who were at Brookings at the time and elsewhere in the office with Kermit Gordon. We were all agreed on that approach.

What we had neglected to consider, because the numbers were not yet before us, was the war--Vietnam. We were in the middle of it. And suddenly there were rumblings from Charlie and from others: "You'd better not play with the fiscal dividend." And so, "Why not? Wasn't it true that we would be getting more money each year as the economy grew and tax rates remained at about their existing level?" "Yes." "So?" But the answer was, "We think it's likely to be taken by the war." We had no numbers. No numbers were being published at the time that would have revealed that to us. I don't want to go through the details.

Then finally we had long discussions within the commission about the fiscal dividend, how it would be utilized, and how it really did seem to me to be a response, because the benefits of the levels of taxation which were high would be utilized for something very important--at least most of us thought--for the country. But ultimately the chapter was scrapped and the fiscal dividend analysis, although there was something left in the report--I don't remember the exact language--about the fiscal dividend but we didn't predicate the financial basis for the report on the fiscal dividend as we had initially prepared.

Then what? If you didn't have the fiscal dividend, there was only one thing you could do if you were going to implement major recommendations, major expenditures of the sort that we had in mind, and that was taxation. Now, that then was the dilemma. At the same time that we were working on the report, Joe Fowler and others at Treasury--personal friends with whom I was talking about these and their problems--were working on the surcharge that was to come into the program. At first it was 5 per cent, then 6 per cent and then ultimately 10 per cent, and the problem of working with Wilbur Mills on the Hill. So that, in fact, within the report there are passing references to the fiscal dividend, but the only recommendation was taxation. Taxation, again, it doesn't mean that in 1967 or in 1968 or in 1969 that the total program would be implemented. Our thought was that this would be a gradual implementation of the program. We didn't say so because to have tried to phase in programs of this sort without detailed plans arising from the departments who actually would have to implement this--from housing, from the welfare department, from others--would be impossible. And we didn't have the time. We had decided to move with a single report in order to get the report out, and we wanted to get the report out because we were fearful that there would be further riots in the following summer. And we wanted particularly to get out into the hands of the police departments and the fire departments the recommendations which we thought might be helpful to them in dealing with these matters.

Well, as I see now in papers which I've read that you've provided, papers coming from within the White House, it was clear that as the report was coming to Joe Califano, that he was looking at it from the viewpoint of "How does this impact on the President's

program," and also at the end of the year, he was thinking really of what we were going to say in the budget message and the economic message and the various special messages that Johnson liked to send up. "How will these recommendations gear with what they were planning?" And they didn't. Our programs were different from theirs. In many cases, substantially larger and, I think, warrantedly larger, just even in retrospect now. Not only that, but the programs which we recommended were substantially implemented at the levels at which we recommended. In fact, we were able by various pressures throughout the society at the time to bring in more housing, to bring in more jobs, to make changes in the welfare systems despite the war.

But, the reaction to the report as I now can see--and this is the first time I've really had any clear understanding of it--I had read the Johnson memoirs and of course have talked at great length to Doris Kearns and read her books and so on, but I've never really understood until I've seen some of the White House memos what was going on in their minds. There was suddenly some kind of division developed between Joe Califano and myself. I was totally open with him. There was never an effort at concealment of anything that was going on, I wasn't trying to shape the Commission's program to reflect anything going on within the department because I didn't know what was going on within the White House, what they were trying to do. He didn't share with me their concerns, their objectives, although I was fully sharing with him everything that we were planning to do. There was no reason not to.

I stop here in a sense for a lesson. We've had so many of these commissions over and over again throughout the years. But if there is an objective within the White House

of some sort, at least the commissioners, the staffs, should know what it is that the White House is trying to do. There was no discussion with me about concerns about the Mayor of New York and his ambitions, or about Fred Harris and his populist objectives, or about Tex Thornton and his more conservative attitudes, no expressions of fears. Yet, as I read through the background papers regarding what was going on within the White House, I see that all of these things which to me had no importance, not even minimal importance, I wasn't concerned with any of these things. The staff's objective was to get a report which responded to the central inquiries: what had happened, why it had happened and what we can do about it. Basically what we can do about it is what concerned me. The lack of any political liaison, of any political exchange--had there been fifteen minutes of conversation reflecting the materials that you have shown me, I would have understood.

Now, it may be that they assume that my political acumen was far greater than in fact it was. But it wasn't. I had no idea of the politics of it. The first intimation I had of a problem, a political problem, was one time when [John] Lindsay and I had been in the Executive Office Building next to the White House. We had been there for a meeting, and we walked across the street from the Executive Office Building to the White House, just fifty feet, and somebody had snapped a picture; I didn't even know they were taking pictures of us, which the next morning appeared in the *New York Times*, the two of us walking casually across. That afternoon I got a call from Joe saying that, "You really oughtn't to help Lindsay's presidential ambitions." I had no concept--I didn't regard Lindsay as anything other than a rather attractive, superficial man; I had no sense of depth in him. I enjoyed him as a human being, but the notion that this man would seriously

consider himself for the presidency, it just struck me as--it wouldn't have occurred to me. But who would have thought of Lindsay as a competitor of Johnson? It was grotesque. Or that Johnson would be concerned about anything of that sort--thinking about it. Total waste of time, the man didn't deserve it. Nice man, but not for the presidency of the United States.

Now, that kind of problem runs through most of the papers, or many of the papers that I've seen here, that Johnson, through the White House staff, was watching what each one of the commissioners was doing, what they were saying in public. He was concerned about possible criticism from within the commission. Criticism of what? Well, obviously Vietnam. We were seeking expenditures to assist in the development of really the black community within the country. He was forced to consider expenditures needed for the war. They were in conflict. He was fearful that this blast would come from the commission calling for vast expenditures and then simultaneously there would be [someone] saying there must be an end to the war in order that we may go forward with the domestic programs. I'm exaggerating, but that's the kind of feeling that seems to emerge from these papers.

First, I regard it as absolutely unrealistic, and the commission had no such idea as a commission. Individuals may have been thinking in these terms, although it was never apparent to me. Perhaps I was blind but I never saw Lindsay as--it would be absurd to regard him as a threat to the presidency in any way. And Harris, liberal, basically populist liberal, but I never discussed with him, never heard him discuss, what the American position should be in connection with Vietnam.

All of this bears on how the report was ultimately received. I was astounded at the time. I thought we had done for the President the job that he wanted done. We had worked very hard, intelligently I thought. Victor Palmieri and I had cooperated throughout focusing really on the merits of the problem. We had, I think, succeeded against very great odds, in terms of obtaining the funds to do this. You'll see at the beginning of these materials we had nothing to work with, and before we finally extracted the first hundred thousand dollars, it was a monumental effort. Dozens of conversations with dozens of people at a time when we were seeking to think through what was the problem, how were we going to get the information, who would we be able to recruit to do the jobs, what form would it be presented in, how could we organize the materials in such a way that they could be absorbed? And at the same time, where was the wherewithal to get it done? Victor and I worked very hard to think it through. We did it really with rubber bands and paper clips, but it got done. And then, to have it in a sense just shunted away, disregarded at the end, was hurtful, although I had a feeling throughout that the job we had done was good enough so that something useful was going to come out of it.

The President didn't receive the report. The background is told in these papers. There was a division within the White House. Joe Califano was saying, in substance, "It doesn't reflect your program. It embarrasses you by large requests for expenditures which you cannot provide. It exceeds your budget. Cool it. Don't receive them." There were others there who felt, "Why don't you just send the notions, the recommendations, to the various people within the government, the various heads of the several

departments"--which would have made absolutely good sense to me--"and let them implement as much as they reasonably could." Now, in fact, I suspect that was done, but it's not clear. Now, [Harry] McPherson had one view. Califano had a contrary view.

I look back on it really more with sadness than in anger that I have not had lunch with Joe since this episode. I didn't know what his role was at the time, but I've once or twice telephoned for lunch, and once we made a date and then he broke it, and the second time we made a date and the second time he broke it, and I haven't called again. Our paths have crossed, of course, and we've spoken, but never at any length about this.

(Interruption)

Whether in fact Joe in that cover letter was really recommending that he receive the report, I'm not clear. The language I regard even now as somewhat ambiguous in its context because what precedes it is an attack on the report. At the same time he thinks it might be well to receive it. He's saying, "They made a mistake. They're embarrassing you. But perhaps the best way politically is to receive it, then to bury it." This is the most I can make of it because there was all of this discussion--it's clear--when he dealt with that final memorandum precipitated by his colleague--

MG: Harry McPherson?

DG: Harry. When Harry's memo and Ramsey Clark and others, all of whom had a different view, obviously, or they thought that Califano had a different view, because they came in with a different program, and they were pushing him to do more, and the way in which Joe spoke of their recommendations, in a sense, depreciating their views. I had the feeling that, looking at what he did then in relation to their recommendations and that

concluding sentence on the cover memo, somehow it didn't hang together. I think that his central [?] advice in fact, whatever he may say now or for other reasons, was negative. I think that was a mistake.

Johnson remains in the minds, I think, of the black community of this country essentially a hero, as much as they will accept any person in that capacity as a hero, for the good that he did during his administration for the underprivileged. And I don't think most of the black community understands the nuances of what we've been talking about, in a sense, the intricacies of history. But I thought that he made a very real mistake, and I'm not clear in my mind now, even now, why, what was the conflict that he was seeking to avoid, what were the problems that he minimized by pushing the report away from himself? I think they seem now to me to be essentially, in a sense, egotistical, that is, that I had recommended a program and I had recommended a budget, and that my program was within that budget, and now they're coming and saying to me that I should do more, which I cannot do within the budget, and how am I going to get more taxes out of Wilbur Mills? But why could he not have said, "Able people have worked very hard to deal with," what was essentially, "a crisis in our society. They've come up with certain recommendations. Maybe we can afford them, maybe not, but I want you to know what they are and to think about it, and to transmit it throughout the government for review and recommendations."

Had I been at the receiving end of this thing within the White House in Joe's position, a contrary position couldn't have occurred to me. But Joe immediately measured it, perhaps knowing the character of LBJ, against his previous

recommendations, as if everything that had been recommended were necessarily optimum, and then sought to diminish the relevance and use of the report at the time. I don't know what the truth is, and I also saw that sentence to which you referred. But I don't attribute that much to it. I don't think in the final analysis Joe was saying, "Mr. President, I think really you should take a second look at this and you should send it out to the departments for review and for action."

MG: With regard to the financing, was there any difference of opinion within the Commission with respect to how these initiatives could be funded?

DG: In terms of procedures, we saw only two ways. One was what I've described as the fiscal dividend and the other is taxation, increased taxation. But there were major differences within the Commission as to the wisdom of the scope of the recommendations. I may already have mentioned this before, but one reason why my respect for Lindsay is limited was the way in which he, and indeed even Fred Harris, responded to certain recommendations that the staff had made in connection with housing. We had worked very carefully with the housing people within government, and with private interests, and with others, experts, throughout the country. Tony Downs, I remember, who was at that time in Chicago, and a number of people. And little by little, we had come to what we thought was a reasonable figure that was likely to be met if we pushed housing. We recognized housing as a very important factor. And I remember the meeting in which we made our proposal as to a certain number of hundreds of thousands of housing per year. And I'll never forget Lindsay's speech in which he suddenly got up and said, "This is nonsense. What we need is really"--and he hesitated--"we ought to treble it." Not as if

this were a figure that was thought through, financed, administered, but simply "We'll treble something." And Fred Harris at that time strongly supported him. Tex Thornton, the businessman from Litton Industries, was appalled as I must tell you I was appalled. Our figures were grounded on what we thought were facts. We believed it was doable. We believed it could be financed in part by government, in part by private resources and that we could implement it, and here he trebles it. And then, what is Roy Wilkins going to do, sitting there as a black member? What will Ed Brook do--the black senator from Massachusetts? They necessarily must go along and so on. There was a division, but ultimately, a vote was taken and the trebling of the number on housing. I thought that was a terrible mistake, and my regard for Lindsay certainly went down as a consequence of that meeting.

MG: But the recommendation of six hundred thousand housing starts, subsidized housing, and six million over a period of five years, that did stay in the report?

DG: No, the trebling stayed in the report.

MG: I assume that figure does represent the trebling.

DG: Yes, that's correct. I thought that was very bad, and indeed, I remember telling Joe about it. This was something that I felt was wrong. And I felt what we would try to do is meet the budget consequences in a different way on other programs, or to avoid recommendations on other programs that might otherwise have been included. So we were conscious of the cost. The notion that we were not aware of the costs of these programs in the sense of the magnitude, not in terms of the details, the pennies and dollars of the thing, but the real scope, what it meant from the viewpoint of taxation and

government expenditures--of course we were aware of it and worried about it. On the other hand, we felt pushed by the morality of the situation. If you're asked what it is that you think is necessary to get done to deal with the kinds of misery and poverty of the sort that we had seen--this was the scope of what we thought was necessary.

Now, I see now from the materials you've supplied that within the White House they were looking to the Commission and, in part, to me to come in with a program that really took [into] account what had the President himself recommended on particular programs--take into account the budget that he had put before the Congress, and then to fit everything into that. Had I known in advance, had Abe Fortas said at the beginning, or Joe Califano at some stage had told me that "We want you to come in with a report that fits our budget and fits our programs," of course I wouldn't have gone with the Commission or accepted the responsibility. I thought we were looking for an answer, and the report contains the answer that we thought was relevant with the housing exception. Lindsay's contribution there is one that still troubles me, as you can see.

MG: From reading this memo it's one of the most troubling elements to the White House, too, the housing recommendations.

DG: It's now clear that the White House was expecting a number of commissioners to defect on the grounds that 1) we need these programs, 2) Vietnam prohibits these programs from being implemented, 3) get out of Vietnam. Well, anyone who was sitting with these people, who knew the people, knew with a possible exception of Lindsay, that that was not going to happen. Certainly not from Roy Wilkins, certainly not from Ed Brook, or Fred Harris. I mean, these things just don't happen that way. I come back that there was

something, some kind of--again it's possibly cheap psychiatry--some sort of fear, paranoia at the center that sought to catch the emanations from outside, the political emanations, political attacks, and to avoid them. I don't believe there was any attack coming. I don't believe any of these people, really, including the Mayor, would have defected on this issue. It would have been seen as a grotesque attack on the White House that had appointed him, and his only constituency would have been black, not white. I think that was a mistake.

MG: Did the Commission's deliberations suggest that, in view of its recommendations, there were some government programs that needed to be redirected or discontinued that were either--

DG: Changed.

MG: --exacerbating the problem or simply were not dealing with the problems where they should have been dealing with them?

DG: We focused throughout in the deliberations of the Commission on what experts within the government and outside the government were recommending to deal with the problems of education, of housing, of welfare, and of jobs. These were the national programs. We didn't seek to take inventory of what the government was doing and to criticize those programs. It's not that we didn't know what the government was doing in housing or in education, but rather that we sought to come out with what we thought was a necessary and balanced program and to emphasize that. So my answer to you must be that we didn't stop to endorse programs that were already under way, or we didn't stop to criticize programs that were already under way. We were focusing on what the best

people whom we could find and our own observation would tell us was needed in the circumstances.

Now, I also found evidence in these materials that you've supplied that there were people there who criticized the Commission for not having a good word to say about the Great Society. Well, that may have been a mistake. Maybe we should have tried intelligently to flatter the--but who, within the background of the riots and having in mind what we had just seen before us in terms of the miseries of the cities, was going to think in these intelligent but political terms that had nothing to do with the essential merits of what we were concerned with? So we didn't do it, and in retrospect now, if I ever become--and it's unlikely--involved with any other program for any White House, I'd have very much in mind some of the things I've learned about reactions there. I may have been naive, but we didn't do that. We didn't try to evaluate, to praise, to criticize, to support, to recommend additions to, or to flatter. And that was probably a mistake.

MG: Well, is it correct that the Commission concluded, for example, that National Guardsmen needed additional riot training, just to be helpful?

DG: Absolutely. And we got a report or letter out on that, I think, very early in the game within days after we had first begun to think about it.

MG: So here's an example of something that could be improved if the. . . .

DG: Yes, the issue was twofold. It was not only riot training for the National Guard, but above all, black/white integration in the National Guard. As you probably know now, [Otto] Kerner himself was chosen because the National Guard of Illinois at that time had the highest level of integration of any National Guard system in the country. I don't

remember the exact fraction, but I think it was less than 1 per cent. And we saw that, and we pushed on it, but of course, when you criticize the National Guard, you're not criticizing the White House. This is the governors.

MG: Right, state. How about War on Poverty? Did you get a sense of how the poverty program was either helping or not helping in terms of riots?

DG: Much that we saw was good, and most that we saw within the cities was inadequate. Head Start was clearly a youthful and important program. Not youthful, almost now in retrospect, indispensable in terms of salvaging the young. And we recommended a very substantial increase in Head Start, and there were other programs. But we also saw the corruption of the cities. When Lindsay and I went into Newark, there was a fellow named [Hugh] Addonizio there who was the mayor of Newark, and we saw the misery of the place, the decay, the broken windows and the terrible housing, and no jobs, and the levels of unemployment, 40 or 45 per cent among the black youth. It was frightening. Now, he was more familiar with that kind of background than I was because he had been in Bedford-Stuyvesant and other places in New York City. But I tell you that when we tried to find out within Newark how they were getting on, we found so much corruption within the city government that I felt at the time certainly that it was virtually impossible to do anything really effective in the way in which it was being done then. We didn't try to attack that program and the report doesn't speak of it.

We just elide the issue of--I suppose now, in retrospect, as I speak, I can see why we didn't try to evaluate each aspect of the Great Society as it was going through. There was so much that we saw within the cities that wasn't being touched, that couldn't be

touched with any aspect of the program. And so, in a sense, we began from scratch to try to produce a program relevant to the need. Sad.

MG: The jobs element was another ambitious proposal of the establishment of two million jobs--

DG: Jobs, yes.

MG: --for the unemployed and underemployed in the next three years.

DG: That was preceded by a very substantial and intelligent and informed debate within the Commission as to whether the federal government should serve as the employer of last resort without reference to numbers. In retrospect, I think the assertion of that obligation would have been a wise decision. In fact, we finally came down to a number: two million. Why not 175 or two and a quarter or four? But we had certain cost estimates. What kind of capital investment is needed for jobs? What industries needed help? What industries needed investment? We went through a lot of materials which we have received from the Department of Commerce and from various other departments within the government to see where new jobs could emerge from. Two million turned out to be--in fact we provided more than two million jobs, as I've indicated before, over the period that we had defined. But these were--

MG: The period--you mean the period from--

DG: The period of time during which the two million jobs were to have been supplied. I've forgotten the exact number now, whether it was within the--it was more than one year.

MG: Three years.

DG: Three years or something like that, yes. And, in fact, over that three-year period, more than two million jobs were developed, but you must understand that the order in which the report deals with these national programs represents, in the view of the Commission and certainly the staff--

Tape 1 of 1, Side 2

MG: You were saying in the order of priorities, the first thing you dealt with--

DG: The first thing we dealt with was jobs. And all of us were convinced that without responding to the human need to maintain income through jobs, the society really couldn't survive, and so, we made jobs the first priority. But there are some people who really can't work. Sometimes it's the mothers with children, and there's no help at home and no Head Start, and there are the handicapped and there are others, the blind, and the old.

After jobs, the second thing we dealt with was welfare. Basically, the concept is income maintenance. Income from jobs, income from welfare. Then, after that, I think the third one we had that was a lot of debate was housing. The corrupt housing that we saw, how human beings could live in these environments and emerge as human was something that left us with the certainty that housing simply must be a major priority of the country. So housing became, I think, the third factor, and then education.

If we were to look at it today, I'm not sure whether this order remains relevant. With the kind of society we seem to be heading to, maybe education takes an even higher level of importance. I'm not sure. Or I'm not sure perhaps that there's any order of priority in these things. And within our own country, the notion that we can't maintain our people, maintain the income of our people, their housing and education, their health,

it's just not an acceptable notion. We've got to do it, and we'll either do it, or else we'll have a different kind of society.

MG: Was there considerable disagreement within the Commission over the jobs aspect of it?

DG: Yes. There was always a reasonable level of dissent from Tex Thornton, who always felt that whatever the Commission seemed to be heading toward was excessive. The two million number was too large for him, and also a feeling that the federal government certainly ought not to be the employer of last resort. I had had a strong feeling that the infrastructure of the country was essentially in decay and not being maintained, and I felt that we would be able to utilize massive numbers of people providing trade skills and other things in that, and I strongly was pushing always the employer of last resort idea, but that didn't prevail.

MG: By the employer of last resort, did that mean a sort of a New Deal-type public works initiative--

DG: If necessary.

MG: --to insure that everyone who--

DG: --who wanted to work could work. I mean this was the basic conception. How it would be implemented would vary from state to state depending on resources, but that the government would take responsibility for making sure that the bridges were safe, that the roads were kept in decent condition, that we had roads where we needed them, that the railroads would go where we had work for them. This has been much debated over the last twenty or thirty years, but I think we must ultimately come to it. I don't see any other way.

MG: Was gun control a--

DG: Not in the terms in which it's being debated today. Gun control did come up, I mean, it was much discussed, and a number of--but it was being discussed not so much within the Commission as it was at that time in the Congress. Bills were being introduced for gun control, gun registration and so on, and the issue was whether we would involve ourselves with it. We had enough on our plate. Should we seek to support legislation on the Hill that we thought desirable? Should these commissioners in a sense step out of their role as commissioners and become advocates for public policies that they thought desirable? Here Joe and I were in substantial agreement. I felt that it would be a mistake, that there was enough to do, that we had enough to do and that the commissioners ought not to compromise their position within the Commission and become witnesses before the various committees on the Hill for legislation [which], however benign, was not directly relevant to the work we were doing. Gun control was important but the focus of our efforts was, and had to be, the riots, and Saturday night specials were not responsible for the riots and didn't contribute in any way to them as far as we can see. But it was not only the gun control, but it was the other issues that were coming up on the Hill. I remember specifically discussing with Joe and with others within the White House the desirability of persuading the commissioners not to involve themselves in it, and I discussed this matter just as openly as we have with Kerner and he agreed.

MG: The last time we did discuss the whole question of racism as a cause and the Commission's emphasis on that. Let me ask you about the "Harvest of Racism," the professional staff essay or [inaudible].

DG: I've forgotten the name of the sociologist who perused that. I remember the "Harvest of Racism" was basically a preliminary draft of a possible chapter in the report that was produced by someone whom we had initially picked, but for other reasons having nothing to do with the product because we hadn't even seen it, we pushed aside, but we nevertheless kept him because he seemed to have reasonable credentials, and he produced a report, which he first gave to Victor Palmieri. Victor read it, then came to see me about it, and said to him it seemed superficial, unsupported by the evidence. It was just in a sense a concoction that may be true, but how can a government analysis rest itself on a thing of that sort? I then read it, agreed totally with him, and ultimately we pushed that man aside, and we dropped the report. He was offended, and understandably. His work product, his baby, had been aborted, but we did it not because of any difference with his presentation, but rather that the kinds of proposals and analysis that he gave us did not seem to us warranted by the evidence he was able to amass. I assume you have reference to that particular paper on this. He managed to leak it to various newspapers. There were various stories about the thing. He sought to make it into a scandal of somehow we were sitting on something that's very important. We just regarded it as superficial, as not adequate. I have no question, we think racism was really a central cause of the riots. I mean, if you're looking at *sine qua non*, had there been no racism in our society, I don't think one could expect to happen what in fact did happen, or is happening.

MG: Bob. . . .

DG: Shellow, S-H-E-L-L-O-W. And he's down here as a Ph.D. assistant deputy director. He was working with Palmieri, and that's how it happened that he reported to Palmieri. Bob Shellow.

MG: Was there a tendency on the Commission's part not to include in testimony hearings the more radical blacks, those associated with black power?

DG: The first criticism of this came when the President announced the composition of the Commission when many in the media [asked] "Why didn't you have any of the black power advocates on the Commission?" and the President correctly replied, as far as I can see, that that wasn't what he was seeking to accomplish. He wanted to get the analysis of an intelligent, middle class group whom he trusted, and each one of the members of the commission really fit that, whether you're talking about Tex Thornton or Roy Wilkins, or whatever, or the chief of police of Atlanta. These were people who lived their lives on an essentially middle or upper-middle class basis who are looking at the country and trying to find out what had given rise to the riots. He didn't think that the black power advocates or the Black Panthers or Stokely Carmichael, or whoever at the time, could contribute to an analysis that the country could accept. And he was seeking to get a--

(Interruption)

MG: The President didn't feel that they could contribute. What do you think?

DG: That's right. Now, the President having said that to us, see, I specifically discussed this with him, I mean, at the time when I came in from California, I mean, my first reaction was, "Mr. President, the people who are leading a lot of this and creating the problems seem to be part of the black power group." Then he explained what he was trying to do,

and I understood it. Now, for that reason when we were calling witnesses before the group we didn't seek to bring them in, but we did talk to almost all of the witnesses, especially the black ones, should we bring them in. Now the media was always on our tail, "Why don't you call them?" It would have made a great spectacle having Stokely Carmichael tell us off, but nobody, I mean nobody, felt this would have anything to do with the kinds of decisions, recommendations, viewpoints, that would affect or shape decisions. But we did other things. We didn't call them as witnesses, but we had, within the staff, a number of very able black professionals whom we sent out to each of them for interviews and they sat with them, so we had the views but not as public witnesses.

MG: Was the problem with having them testify in public that you would be giving them publicity?

DG: It wasn't that so much as that it wouldn't really be a--it would be a spectacle rather than testimony. It would be utilized for purposes of theater and not for information. This was the fear. We may have been wrong. But, in fact, the list of witnesses whom we actually utilized is laid out in the report, every one of them. But that was behind it. The President hadn't done it. We didn't do it because we wanted to avoid this spectacle, but we wanted really to see whether there was any input that we could get that we didn't have. The answer was no. Their role was one of protest and not one of solution, other than the kinds of things we were already fully prepared to support.

MG: Was there a gulf between the junior staff and the commissioners?

DG: I don't know really who we mean by the junior staff, but I thought that the relationship--when there were Commission meetings, who were the people there who

actually met with the Commission? Well, it was myself; it was Palmieri. I had usually the general counsel there. That was Merle McCurdy. I just saw last night David Birenbaum, one of his--Mel Bergheim was often there, and Mike [Milan] Miskovsky, investigations. A lot of the people were there and the commissioners knew all of the top people. I never sensed any problem with them. There were a lot of people in the investigation staff--the staff I was just speaking of before--who went out actually on the streets to meet with people and to meet with particularly black power advocates and others in the black leadership who were themselves black, whom they didn't know really, but when they saw--you know, these were people in jeans, and these were people with long hair; at times, I think there may have been some concern that we were going overboard with this young generation. But I never had any sense of--no one ever spoke with me about that, at no time.

MG: In terms of the cities which did not riot, was there an emphasis here to explore what the common denominator was?

DG: Oh, yes. Why didn't they riot? I myself went out to St. Louis where you had poverty, a large black community, and there had been no riots there; there had been in the earlier days, but not on this occasion, and we found answers. They were not universal answers that were applicable to all places that didn't riot, but in that particular place, you had a Catholic mayor who had a brother who was a priest. And in St. Louis, the priest--there were riot threats--was on the streets throughout this entire period trying to quiet them, trying to talk with them, bring them into church, trying to do something of help and to mobilize within the black community the kind of black assistance and support. So we felt

that there were reasons why people didn't riot and largely the central reason always was that somebody was listening, that somebody was trying to pay attention, understood, sympathized, help if possible, but not necessarily. We saw that in various places.

In a place like Cincinnati we saw why they rioted. There was a big black community in Cincinnati, and they were organized in such a way that everybody was elected from at large for the city council, so blacks simply couldn't become represented. This was not true in other places, so we found reasons. You have to know, really, the sociology of a place intimately to have reached final conclusions, but the broad conclusion in my own mind was that where people were listening and trying to focus on it, and trying to help, and trying to provide guidance and direction, there the odds were very much against rioting, but where it was a hot night in August, and the police and the lights were flashing, and they were sitting on the stoops and unable to go to sleep, resentful of their role and their status, it happened. But where they did riot, one of the findings that astounded me was that the real rioters were the more intelligent, the more able, the better educated, the high school graduate, or others, so that it wasn't in a sense the least able or the most ignorant, or the most impoverished. It was a better group of people who in fact rioted during these months, and that was an astonishing finding for us.

MG: I wanted to ask you about the publication of the report. How you were able to get it into print so quickly?

DG: I had spoken with the publisher beginning about two weeks before the report was final. I told them it was about a million words. I told them the Commission would have to clear it before we could release anything. They wanted to get parts of it in advance, which I

refused to do. It was Bantam Press. I wanted to get copies of the report out on the streets as quickly as possible. I spoke, of course, first with the Government Printing Office and learned that we were there talking about something like two or three months before the report could be published, and that's why I turned to the commercial group. I made inquiry among the publishers as who's really likely to do this, and I found out at the time it was Bantam. I did talk with them then. They promised that if I could get to them the report by Thursday that they would get it on the streets in ten cities on Monday. This was a million words.

So I remember we had nearly the final meeting of the Commission on a Tuesday. I read to the Commission to make sure that everyone knew every word in it, the entire report; that is, over a long series of meetings. We would take it up chapter by chapter. I'd read it, they would follow it in the text. Questions would be raised. We'd make emendations and so on, but it was slow going, so we finally cleared most of it on a Tuesday. Then I began discussing with them--I didn't want to have a naked lady or something on these reports, so what would go on the face of the volume, how it would be presented, and so on, and pictures, because all of these are in here. I had our public relations fellow working with them on the selection of pictures, and he was really--they came up with groups; I cleared all of them. Where is his name? Oh, Al Spivak. Al worked with all of us, and we kept going over all of the pictures and didn't want anything other than what was truly representational of the kinds of things we had, in fact, seen, and that the commissioners had seen. We finally worked it out in working with them so we cleared the format of the thing, what was to be said on it. We gave them the pictures.

And then on Thursday, Thursday afternoon, I'll never forget, we just gave them the typed text, and they absolutely had it on the shelves in ten cities, certainly including Washington, New York, and elsewhere.

MG: Did each of the commissioners see a final draft or did they--?

DG: No, what we saw, we cleared it chapter by chapter, and they saw a final draft of the chapter but nobody, none of us, saw the whole thing together until the last chapter was cleared on this thing, and with the pictures, and so on. But they did it and did a good job.

MG: Did the White House have a copy of it before--?

DG: What I would do is, as chapters were cleared by the Commission, I would send Joe a copy of it, and I also sent over a full set, exactly at the time, to the White House at the time that I sent it off to the publisher.

MG: Was there any guidance from the White House on whether or not to actually publish the volume or was it simply assumed that you would publish it?

DG: I don't know whether it was assumed, but we assumed it; we never asked. And I never asked for any approval for going commercial, either, which was interesting. I don't know that this was done. It's been done since, but I felt there was no other way to get this thing out on time. I knew that the impact of the report was going to be substantial. We had worked very carefully--Al and I, Victor--on what we were going to release to the reporters. How do you release a million words to them and have it meaningful? They couldn't read it on time, and you know the story, we had planned to give it to them on Friday for a Sunday release--Sunday or Monday, I've forgotten which--and that we made a very careful summary of the report ourselves, emphasizing all the things that Al and

other reporters, Jack Rosenthal and Bob Conant[?] felt are going to be of interest to the media. We got all of that, crammed it in, and then we had a question and answer series prepared for the reporters, and then we gave them the full text on Friday. That was just the typed text or mimeographed, I don't know what we did then. Then of course, you know the story. The *Washington Post* purported to have it. They did have it.

MG: Did they call you or how did you [find out]?

DG: Called. What happened was that Al Spivak called me and said that he had been called by the *Washington Post* saying that they planned to go with it on Friday, right away, so I called Kay Graham and told her it made no sense. No money was involved in this thing. This was an issue really of saving time in order to permit the reporters to understand what was in the report. It was a problem of public information, and to give the reporters an opportunity to educate themselves to what this was about, you need this time. She sent me to Ben Bradlee, and then I spoke with Ben, whom I've known, and Ben just kind of laughed and said, "No way." So I said, "Then, Ben, you're not going to get any exclusive on this thing. I'm going to release it to everybody at the same time."

But fortunately we had that summary and we had the pictures, and we had the questions and answers and we had a lot of other preparatory stuff for the reporters and that enabled them to come out. And then when they got into it, they found they were intrigued, many of the reporters, by the first, in a sense, the indictment of white racism and then the analytical stuff. It began to come home. It pulled a lot of things together for many of them. And many of them had been following, had a background already in this material of the work of the Commission during the previous eight or ten months so that it

came out a lot better than we thought. The *Times* really did a bang-up job and actually the *Post* did. I then held a whole series of press conferences and meetings with various of them, but I did not see the President, and they did not approve or disapprove. They were not aware, really, of our program until, essentially, it was already being implemented. I sent a list of things, what we were going to do, over to Joe, but that's when we were already doing it, so he could anticipate it. We had a whole series of Sunday talk shows, interviews arranged with commissioners and so on, and then after that the central problem was to wind it up to make sure that the commissioners did not go off on their own and then become witnesses for the legislation on the Hill or that the Commission itself wouldn't become just a loose cannon on the deck and begin to try to meet itself or anything of the sort. So I talked with Kerner, and we agreed that he would sign off, simply announce the fact that the Commission had disbanded, and I would do the same with the staff, and we did it. We finished it.

MG: Did Lindsay want to perpetuate the commission?

DG: Lindsay wanted--and it wasn't only Lindsay--to perpetuate the Commission only insofar as it was necessary to support the recommendations of the Commission at hearings on the Hill to serve as witnesses.

MG: Who else did?

DG: Fred Harris. Roy Wilkins. I think these were the three. Nobody else. See, by that time we were fully aware that the White House had suddenly cooled, and I think the others were more responsive to the White House.

MG: From twenty years hindsight, are there aspects that you would emphasize more if you were doing it now, or that you would have emphasized less?

DG: In terms of the specific recommendations taken today, it's clear that we can, in my view, deal with the problem, I think. Today, the problem has worsened. I think that the situation today in the inner cities of the large cities is far more destructive, far worse, if possible, than what we saw twenty years ago. We did not then have the drug problem in the way it exists today. We didn't then--perhaps it's an offshoot of the drug problem--have the collateral crime problem in the intensity with which it exists today in this city. I don't know. Listening to television last night, we've had 306 murders this year. Nearly one a day since the first of the year. It's incredible. We didn't have, to the same extent, the distribution of guns. We had plenty of it then and we knew about it, but now it's, I think, doubled in the last twenty years. We didn't have, I think, the kind of homelessness that we see on the streets now. You cannot go through the capital or New York or Philadelphia, where I was last week. This is a frightening thing. In the richest society in the world, we are unable to keep people in their homes, that we can't keep people from starving on the streets, that we can't provide medical services, that we can't educate the young. There's something wild and crazy about all of this.

Your question was that what would we do differently? I'm not so sure that now I would wish to find specific solutions or go for specific solutions. I think one has to bring back to the country the awful sense that in this civilization we are permitting kinds of things to happen that exist, so far as I'm aware, in no European country. Why have they been able to deal with it and we not? Where will you find slums of the sort you find ten

blocks from this office in Europe? I don't think they exist. I've been in Naples and the rest of them. I think first there must be a decision, friends, that this has got to stop. In a sense, it's like Kennedy's decision that, "It's going to take ten years, but we are going to go to the moon." And he did. So the first thing is an act of will, of political will, and perhaps that's the first thing to concentrate on.

In a way, everything became more complicated for us because of Vietnam, and there were other political decisions, but the riots had undermined Johnson's, in a sense, sense of self. The turning of the country against him, or so he thought, was something with which he could not cope, and at the time we were reporting, he was making his decisions about whether to stay on, to run again or not. I'm not certain, and I'm virtually certain that by March 1, or thereabouts, he knew that he was not going to run. Whatever may be said of LBJ, he was careful, he was thoughtful. He didn't anticipate decisions if he could avoid them. And he delayed decisions as long as he could. I'm not sure, but I suspect that he regarded himself as a broken man by the time we were coming along, and in a sense, for him, this was more damage control as he dealt with us.

But this gets away from what we would do now. Now we would have to deal more with the drug problem, and I have no solutions for [it].

MG: But why do you think there are fewer riots now, let's say, than there were in the summer of 1967?

DG: I think--this is a conventional view--that Johnson had offered hope. He had for the first time--I've lived through the FDR, and through Truman and all, and Jack Kennedy and all the rest. None of them dealt with the black poverty problem in this country as forcefully

and effectively as he did. There's no doubt that his was a massive contribution to our society. I think it exceeds Lincoln's, I mean, in terms of what he did for the poor. And they began to see that, by God, maybe it can be done, maybe we can pull out of it. We keep tossing the idea away by calling it the hope that comes with rising expectations. I think they saw hope in him, and he had been preceded by Jack Kennedy who had given some kind of inspiration to the country and here this fellow was giving leadership and direction and doing things.

How can anyone compare that with what's happened in the Nixon Administration or indeed Eisenhower or Ford, or certainly Reagan? What hope is there now for them? Any act now, any riots, would be treated as acts of criminality. They are stealing. They are not rioting. I mean this would be--it's not a civil disorder; it's a criminal act. It's the feeling that one gets [they] would be treated, or at least I'm sure that's the way many feel. But the problem now is more difficult than it was then, not merely because of drugs and other kinds of changes within the inner city, but also because we've succeeded to a substantial degree. The reality is that many of the ablest blacks who used to be part of the inner city have now moved to the suburbs, and they're out there with their kids in decent schools, and they've got jobs now that pay pretty well, and their earning capacity has gone up, and their brothers have been left behind. In a sense, it's a little bit like the relatively few Jews who escaped from Europe during the holocaust and saw what was happening behind. They don't know how to come together to be helpful now. We used, called on, sought assistance from, those blacks when they were in the inner city. Their views are very substantially expressed in the report. But they're gone, and what's left behind is now

popularly called the under class. And it is an under class and that's a dangerous, cancerous component of our society, and I think it will lead to far worse than anything that we've got now or anything we've seen before, because I see nothing that we're doing or that government has any intention of doing. But there was a moment, you know, like the sun breaking through the clouds for a second and then disappearing, when [George H. W.] Bush spoke of--what was it?--a softer, tender, kinder, gentler society. A lot of people responded to that, a lot of the blacks for a moment, but it isn't true. I don't think we're kinder and gentler or that we're likely to be. I see that the problem has worsened, that we have hard cores to deal with now that are much more intransigent and difficult to understand or to communicate with than we had before, and that I'm not at all sure that the country will be able to cope with this. Now we're getting to a point where money alone and effort alone really won't help. Big appropriations before could have dealt with 90 per cent of the problem. I don't think that's true anymore.

End of Tape 1 of 1 and Interview IV

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