INTERVIEW III

DATE: August 8, 1969

INTERVIEWEE: JOSEPH L. RAUH, JR.

INTERVIEWER: PAIGE MULHOLLAN

PLACE: Mr. Rauh's office in Washington, D.C.

Tape 1 of 1

M: As a start, how soon after the assassination did Mr. Johnson contact you personally?

R: I remember the assassination and the period right after that. I remember that Johnson was contacting liberal labor people all over the place. Indeed, a funny thing happened that I recollect. I was in Walter Reuther's suite at the Statler during the assassination weekend; Walter's bodyguard came in and said the President wanted to speak to him on the telephone. Everybody was pretty set up about the fact that the new President wanted advice from Walter and wanted his help. We all thought that was great.

About five minutes later the bodyguard came in and said, "Joe, the White House operator wants to know if you can get the phone numbers of Dave Dubinsky, I.W. Abel, Dave McDonald," and reeled off about half a dozen other labor leaders. It was perfectly clear from that juxtaposition that Johnson--I think this was the day after the assassination, maybe two days after, I'm not exactly clear, but it certainly wasn't more than forty-eight hours after the assassination--was calling like mad to try to line up support for himself with liberal labor people. Therefore, it wasn't a tremendous surprise to me when I got an invitation to go to the Lehman funeral with Johnson. I can't date that, but I suppose that it's datable by the Lehman obits. I was called by the White House and invited to go--which I did.

I had issued a Johnson-support statement, as acting chairman of the D.C. Democratic Party, like everybody else. The press always tries to get an angle on something like this. I don't think John Kennedy had been dead twenty-four

hours when the press started asking about the local Democrats and their difficult position now that Johnson was President. This was not too surprising since only Michigan and the District of Columbia had held out in '60 against Johnson for Vice President. Here was Johnson as President and here were the Democrats in the nation's capital with a rather tough political situation ahead of them. So the press called and tried to build something up. All I would say as acting chairman of the D.C. Party was that we wished Johnson very well. What else do you do? He was the President of the United States, indeed he was the Democratic President of the United States. So we issued a nice little statement, in answer to a question from the press, about how we wished Johnson very well. Whether that had come to his attention before the invitation to go to the Lehman funeral, I do not know.

At any rate I guess everyone was a little surprised. Indeed Chalmers Roberts wrote a whole story about my invitation to the funeral, made a big deal out of it. It's in the Washington Post the day after the funeral. I thought it was overdone. But anyway it was all part of Johnson's effort, coming in as a Southern conservative Vice President, to appeal to the liberal forces. I was only a very small part of that, obviously, but he was missing no tricks.

M: Did he ever make it explicit? Did he ever say let's let bygones be bygones?

R: Oh my God, yes! That's the next meeting. Shortly after I got back from the ride on the funeral plane where I had only talked to Johnson for a minute, I got a request from O'Donnell or someone over there to come over for an appointment. I've got to laugh because it's so humorous. There was the President I'd fought so long and hard talking to me and taking the attitude of "It's very important, let's let bygones be bygones." Over and over again he said, "If I've done anything wrong in the past, I want you to know that's nothing now--we're going to work together."

The first really all-out meeting I had over there was about the pending

civil rights legislation. We did go over that in detail. He said he wanted it passed, and I have no doubts that he wanted it badly. I have no doubt he wanted it for political reasons, but I also have no doubt that he was totally sincere about wanting the bill passed for the good that it would do the country. So there's no thought on my part that he didn't believe totally in the civil rights bill.

Actually there's no thought on my part that he didn't believe in the Viet - nam war. In other words, just as he believed in one, where I think he was right, he believed in the other, where I think he was tragically wrong.

M: But you can be sincere on both.

R: You can be sincere on both. At any rate we had a long talk that day about the civil rights bill, and we also had a long talk about the politics of civil rights, because that was equally on his mind. I pointed something out to him. I'd looked it up before I went over to the White House. Texas had about as bad a record on integration of public schools as the rest of the South. This had generally been missed. So I said, "If I were to run against you in '64, Mr. President, I would made a big play about Texas and how bad civil rights are down there. I'd say you talk a lot about civil rights, but your home state is your Achilles heel." Boy, he really looked sick.

So he said, "You're sure these facts are right?" And I said, "Sure," because I had just looked them up fifteen minutes before I went over there. I had found them in a Civil Rights Commission report. I told him where the figures were. He said, You're absolutely sure?" I said, "Yes."

He said, "Well, you write a little memorandum from me to John Connally and tell him he has got to do something about this." So I found myself in the almost ridiculous position of writing a memorandum from Johnson to Connally. Johnson said, "Send it directly to me, to my personal attention. I don't want anybody else to see this."

I can't remember just how I got it to him--you know how guarded a President is--and I don't even know that it went to Connally.

M: You did send it?

R: I did send it to Johnson. It was a one page memorandum from the President to Connally telling him to get off the dime and get some integration in the public schools down there.

M: There's a little irony for Joe Rauh to be writing--

R: Anyway, he wanted it perfectly clear that even Connally wouldn't know who the hell wrote that memorandum. This was a funny relationship, a strange relationship. As I say, I think he was looking for any allies on the liberal side that he could get. For myself, it was also a strange relationship. After all, if you have spent your life saying that you wanted civil rights legislation more than anything else and then you got the opportunity to work on it, I supposed you'd work on it with anyone who would let you. When the President of the United States says you can work on it with him, I suppose it really would have been churlish if one hadn't grabbed the opportunity. Anyway, I took the opportunity and for a long time we worked very closely on the legislation. I still have the picture on my wall when Clarence Mitchell and I saw him shortly thereafter. Indeed, that meeting was my suggestion because Johnson had been dealing with me on the legislation and I knew that that wasn't right. Clarence Mitchell was the leading civil rights' lobbyist, and it would only work if Johnson treated him so. Strangely enough, I really built the relationship between Clarence and Johnson, and that relationship survived my own. Even to this day Clarence takes the position that Johnson's the greatest, and that all of this stuff about the war is unimportant. So the three of us lobbied together--and I gave you that memo explaining how it worked. The closeness of our work with Johnson, I think, was best evidenced by the fact that the day we got the bill through the House, and I was looking for a little

rest sitting in the gallery, there was a message that the President wanted to talk to me. I think I reported that in the memorandum which I gave you. I went to call the White House on the pay phone there, and yes, indeed, the President wanted to talk. I think I have it in the memorandum more accurately, but in essence he said, "What have you done to get the bill on the floor of the Senate?" Here it was just passing the House and he wanted to talk about the Senate. I explained to him our planned strategy, and he said: "You've got to go to see Mansfield right away and talk about all of this."

So I got hold of Clarence and we went over to see Mansfield. There were many months of work over there in Senate. During all that period the President was very, very good. I guess I could say that in the whole period of the 1964 law, one couldn't fault him. He was close to perfect on that.

M: How much difference did his leadership make? You've been dealing with this for twenty or more years. Was it really an idea of this time had come, and it would have come regardless of who was President?

R: No, I wouldn't say necessarily that's right. Of course, something was coming, but the degree to which it would come was in doubt. John Kennedy's bill was in real trouble when he died. We were having trouble with the Rules Committee, and with the discharge petition. We were not in a very happy situation when Kennedy died.

Now the question I don't know the answer to is this: Was it Johnson's leadership or was it the fact of Kennedy's assassination and the public revulsion, that was the more determinative in getting the Civil Rights Act of 1964 into law? I don't think anybody will ever know. Historians are going to debate that, I'm sure. I don't know the answer to that question, I don't purport to know, and as far as I'm concerned, I'm perfectly willing to give Johnson the credit, even though it was leadership in a period made fertile by Kennedy's assassination. Nevertheless, that's a debate I'll leave for others.

Both were obviously very important and Johnson's role was really tremendous at that time. I don't think that anybody could fault him for anything in that period. We finally got the bill some time in July, 1964.

Johnson did one thing on the filibuster that all other Presidents ought to realize is the only way you can beat a filibuster. It was contrary to what Johnson told us when he was a senator. Then he said you could beat a filibuster by fifty-one senators being there and really working around the clock. As President, Johnson realized that that was nonsense; what he had said as a senator he gave up as a President. He never suggested that 'round the clock stuff with all that went with it. What a President has to say to the Senate to beat a filibuster is what Johnson said on our bill, namely: "I don't care how long it takes, I don't care if the Senate doesn't do one other piece of business this year, you've got to keep this bill on the floor." It was that act of Johnson's as President, totally different from his position on how you deal with a filibuster as senator, which won the day. In other words, Johnson had to protect himself against the fact that he had protected the filibuster against the civil rights forces. In the Senate he used to protect himself by saying, "Well, we can beat a filibuster. All we have to do is go 'round the clock and have fifty-one guys" and all of that. As President, he knew that that wasn't so, but he also knew that if he didn't beat the filibuster, he was in real trouble as the savior of the institution of filibuster. So he did the thing that was needed, namely, saying to Clarence and me several times, "You can tell Mansfield, you can tell anybody, the President of the United States doesn't care if this bill is there forever. We are not going to have anything else hit the Senate floor until this bill is passed." He said that to others, too. And that's what won it.

I'd have to pay tribute, too, to Hubert's role in this thing as the floor leader of this bill. He was great!

M: Of course this came during the time when he was under close consideration for the vice presidency. Was there ever any doubt in your mind that Humphrey was going to be the man?

R: There was a lot of doubt in Humphrey's mind, I'll tell you that.

M: Was there really?

R: Oh, my God, we haven't gotten to the Mississippi Freedom Democratic Party, but there were moments there in 1964 when the thing got pretty rough on that very point. We'll talk about that for a few minutes later.

M: What about the rest of the legislative program in that year while you were still in fairly good terms with the President? Did your influence have an input--?

R: Oh, yes. As a matter of fact, he called a number of times about different things. Once you get working with a fellow on something and you're working very well together, he does consult you on other things. Yes, he called me occasionally. I remember once about appointment to a judgeship--

M: Even on that type of thing.

R: It was a particular one where the labor movement got involved, for a fellow named Rabinowitz?--

M: That was in Wisconsin, wasn't it?

R: Wisconsin, against Jim Doyle. He asked me all about Rabinowitz and Jim Doyle, and he said: "Reuther and Meany are having a fight about this. What's the hot poop," or something to that effect. Our relationship got quite close on something like that.

[interruption]

M: You were talking about other instances in which Mr. Johnson continued to consult you after the civil rights bill. Did that go on until the break came over the Vietnam war really?

R: Not completely. Johnson was not very happy with the Mississippi Freedom thing,

and relations were never the same after that.

M: So it was not really the war that started this?

R: No, no, it was cooling before the war. It was a tenuous relationship at best, and it wasn't going to continue probably anyway. A number of things did occur, but I really trace the end of it pretty much to the '64 Mississippi thing. After that it never was quite the same. It was really back to pushing for things from the outside. Of course, I don't think Johnson ever was the same after his reelection. He had such a liberal Congress, likely the most liberal Congress in our history. Whether he got it or Goldwater gave it to him doesn't make any difference--we had a liberal Congress in '65 and we did get some more liberal legislation.

It was in '65 that we worked together on the home rule bill, but to this day I don't know what happened. There's no question Johnson wanted to get the home rule bill, he wanted to get every bill. He has told people that the home rule bill was the first thing he lost and how he thereby lost control of Congress. He certainly wanted the home rule bill up to getting it to the floor, but from that moment on, he didn't do very much to get it passed. Whether he knew that we were going to get the shellacking we ultimately got, I've never been sure. The pressure was put on to get the bill to the floor, but there was little or no pressure put on to pass it. I've never known who was the rat in this thing. I've no reason to blame Johnson for changing his mind; indeed, I've no reason to know he did. The Washington Post people told me at the time that Speaker McCormack had always been against home rule privately even though publicly he'd gone for it. They had a report on that, but they'd never printed it and I've never said it publicly because I wasn't sure. He had told me he was for it and I had no reason to question his word. Then there's the dubious role of Rep. Multer who was the lawyer for the D.C. liquor interests--thus his clients were our opponents. He muscled his way to

leading our fight on the floor and that always raised questions in my mind. Somewhere between the day we got the discharge petition out and the day we got beat on the floor, something went on that even the people watching it the closest don't know. I'm in that category of not knowing.

M: By then you weren't talking to Johnson closely enough to--

R: Not that close anymore, so I really never did know what happened. I did have a meeting with him in 1966, where I tried to get Johnson to appoint Walter Washington commissioner. I told him there was going to be real trouble in the city; I predicted riots and then some. I scared him a little bit, but he and Walter Washington had a falling out and then Walter Washington left town after that falling out. I was still able to push things on occasion because we did get Walter Washington back, and we did get him appointed the first mayor in 1967. But the relationship with Johnson was partly ended by the '64 Mississippi Freedom Democratic Party fight and was really ended by the war.

M: Did he ever give you a chance to talk to him about the war?

R: The ADA took a group down there, I guess it was in April of '64.

M: After the bombing began.

R: Let's take the bombing--was that February of '65?

M: Right.

R: We went down there with a group in April of '65 at the ADA convention. I called Valenti and said that we'd like a meeting, and he said, "okay." So we had about a dozen people down there as an ADA delegation. I was not planning to go myself because we had a dozen of our foreign policy and chapter people as the delegation. John Roche was the chairman.

M: That's interesting.

R: It was just a "by-accident" thing. Valenti called when the delegation showed up and said, "Come on down," so I had to go, although I really wasn't a part of the delegation. At any rate, we didn't do at all well in our presentation.

It's a famous day. The Wall Street Journal had the story. Johnson kept us there for over an hour. He kept the Security Council waiting outside, standing for this entire period. It was so embarrassing when they came in and we went out. There were more stars on these generals and admirals and Rusk and everybody standing outside during all of this period. I think the meeting was called for something like 12:00, it started about 12:30 and ended about 2:00. Johnson read us his Johns Hopkins speech about the Mekong Delta which he gave a few days later--that dates this meeting for it would have been on Friday morning before the Johns Hopkins speech.

The meeting was famous for two things: first, keeping the Security Council waiting while he read us his Johns Hopkins speech; and, second, this is the time Johnson rummaged through the waste baskets and found our notes. The story was printed in the Wall Street Journal, and it was also told to Mrs. Don Edwards--Don became the chairman of the ADA at that convention. Mrs. Edwards ran into one of the people present who told her how Johnson had gone in all the waste baskets and read our notes to each other. Separate confirmation was in the Wall Street Journal. The thing he laughed at the most was my note to Roy Bennett. Roy Bennett was the chairman of our foreign policy commission, and I'm a Ben Cohen disciple. Ben had always been a big man for having the United Nations stop the war, and I felt that if I didn't get a question asked about why Johnson didn't go to the United Nations, Ben would never forgive me. So I wrote a little note and said, "Roy, ask him why he doesn't go to the United Nations." I was not participating because I wasn't part of the delegation that had been sent, so I wrote that note.

Roy did ask the question and got rather a turn down rebuff. But that is the question that Johnson made the most fun of when he pulled it out of the waste basket.

M: A respectable question.

R: It seemed so to me. Of course, Johnson didn't know the authorship of the note. Of course, too, he didn't know that it was really sort of carrying out what I thought Ben Cohen would have done if he were there. I felt loyal enough to him to do this. I have to say that ADA didn't make a very good presentation. As you know, as has turned out subsequently, John Roche's heart wasn't really in the position of ADA which was violently opposed to the war and everything about it.

M: But you did get a chance to get heard?

R: We were there. As a matter of fact, the first presentation was the best that was made. It was made by Nancy Swadish, a political figure in San Francisco, who told about the coast reaction to the bombing. I thought she was the high point of our presentation. From there it rather went downhill. It was most noteworthy for its failure and the length of time it lasted.

M: By then he wasn't calling you, though, and asking you individually--

R: No. This was Jack Valenti's idea since we'd been talking of my being there. It had nothing to do with the President at that moment, except that I sat next to him and kept quiet.

I did see him once or twice after that, but the fact of the matter was that I had also criticized the way they handled the voting rights bill in 1965. If you recall, we made a terrific fight in the spring of '65 for the anti-poll tax amendment with Teddy Kennedy leading the fight and the Administration opposing it. It got to be pretty rough there, too, being on opposite sides. We finally got a bill through, but there had already been another split.

M: The old easy civil rights relationship--

R: That had really gone after the '64 Mississippi Freedom Democratic Party fight.

M: Why was Johnson unhappy with that victory? I've read all the accounts, I've not encountered reasons for his displeasure particularly.

R. I don't know why he should have been. But let me just do the best I can with

my recollection. I warned them 'way back--

M: Warned them--the Administration?

R: Yes. Ken O'Donnell. I told Ken 'way back what was coming. I like Ken. One reason for dealing with Ken was that he had told me that if Bobby couldn't have the vice presidency, he'd like Hubert to have it. Ken and I've always been friends, and so I told him what was up. I said: "You guys are really getting in a crack here, dealing with the lily white Southern Mississippi people. You don't understand! We've got something this time." They're always pooh-poohing what you've got, you know, "bunch of your black friends," etc. I kept saying, "but it's not this time, we've got something!" Anyway, he finally woke up and tried to be a little bit helpful after that.

I don't think Johnson took us very seriously until the convention of the Freedom Democratic Party in Jackson. I spoke there and unveiled what I referred to as the magic numbers. I said, "If we have eight states and eleven members of the credentials committee, we can win." The theory was this: Eleven members of the credentials committee are more than 10 percent, enough for a minority report, and eight state delegations are enough for a roll call. I just saw '48 again, and believed you couldn't lose a roll call. You could lose a voice vote, but you couldn't lose a roll call. So I got kind of demagogic in front of television in Jackson with my magic numbers of eleven and eight. I said, "We can play our own numbers game of eleven and eight." Then I'd shout out, "Do we have the eleven?" And, God, we had <u>fifteen</u> credentials committee people already. "Do we have the eight states," and they'd all shout back the number of state delegations we then had.

Johnson saw this on television and he realized for the first time that this was serious. Johnson, I think I mentioned this to you before, seems to have the Warwick principle of "every man has his price." Since I obviously was a serious figure in this thing, he tried to get me out of it. He used what he

figured were the two heaviest guns he had on me. One was Walter Reuther, whose general counsel I was--I guess that was my biggest client. He also used Hubert Humphrey, who was still my hero in politics. So the girls here always used to have to laugh because for the next few weeks when Johnson was trying to stop this fight, they would call in tandem--Humphrey and Reuther. Sometimes the girls would say, "It's the other one calling." Johnson had this idea, sort of a one-two: You couldn't take your best client and buck him and at the same time buck your best friend in politics. It was Johnson with his "every man has his price" philosophy.

There were differences in the approaches of the two men. Hubert would call up and Johnson would really have been sore if he'd heard him say, "Joe, the President is very concerned about this, and I've got to tell him something." I'd day, "Well, how do you feel?" "Well, Joe, you've got to do what your conscience dictates." He was really half-egging me on. That's why I still love Hubert, despite the split on McCarthy and on the war.

M: Johnson wasn't threatening him with the vice presidency--

R: Oh, he was indeed! But Hubert was so nice about it. He'd say, "I've got to tell him something." I'd say, "Well, Hubert, why don't you tell him I'm just a son-of-a-bitch that you can't handle," which is what I used to tell Hubert. I said, "Why don't you just tell him you can't handle me!" He'd laugh and say, "Well, I don't think that would go down very well." Hubert was always looking for something to tell Johnson rather than bawl me out. I want to say this right now about the convention itself. Never once, even when his vice presidency was at stake there, did he ever say, "Joe, you've got to take this settlement to help me." Never once. We would be alone at 4 in the morning negotiating, but he'd never use our relationship. To me that was the highest ethical standard.

Now Walter was the other way. He was the muscle. And the muscle would come down very hard with a crunch. You get inured to that in this game, so it

didn't work.

I think the most hysterical of all of the phone calls was the day Walter said, "I've been talking to the President and we have agreed that if you go through with this, we're going to lose the election." I said, "Are you serious? Goldwater has been nominated! How can you lose it!" He said, "We both think the backlash is so tremendous that either we're going to lose the Negro vote if you go through with this and don't win, or if you do win, the picture of your all black delegation going on the floor to replace the white one is going to add to the backlash. We really think that Goldwater's going to be President." I said, "You know, I don't know what I'd do if I thought that Goldwater was going to be President as the result of this effort. I don't have to face that. I'm not saying that I wouldn't yield if I really thought Goldwater was going to be President. I can't answer that question. That's a hard one. But this question is an easy one." Apparently they panicked for awhile on that backlash. Johnson must have panicked for awhile on the backlash and Walter, too. I was surprised that even in argument they would go so far as to say that there was some chance of losing the election on the backlash.

M: I take it that from what you're saying that at this point, at least, there had been no real settlement. You know, some of the poll accounts have implied--

R: I'm talking now before we got to Atlantic City.

M: Isn't it Evans and Novak who say that really this was pretty well decided in Jackson?

R: That's absolute rubbish, unadulterated rubbish. Thus far I've been talking about phone calls coming to my Washington office, really trying to get me to get out of the effort. I guess they figured that would somewhat pull the plug. I don't think it would have. I think the Mississippi Freedom group could have had Joe Blow running the thing, and it would have been about the same. The struggle had its own momentum. Johnson always had this idea, you know, if you deal with

the right person and get him, then the issue will go away. I don't think this would have gone away.

As a matter of fact, I used to use an argument with Hubert that he liked. He really didn't want to be part of beating anybody down. I used to use with him the argument, "If I get out, the National Lawyers Guild fellows are going to take this fight over and they're going to be really wild. You guys just don't know. At least you've got a sensible guy here." I guess Johnson didn't buy that. I kept saying, "You've got a sensible guy, these guys would be far wilder." I used that argument with Hubert, but couldn't use it with Walter. He just wanted to get me out and tell Johnson he'd gotten me out. So I didn't try that argument with him. But I did with Hubert, and he always said: "That's a very important point." Hubert was really on my side, I think, deep down in his heart.

At any rate, I didn't get out. We wrote a detailed brief and I sent it over to Ken O'Donnell the night before we released it. I was playing on the level with those guys. When I sent it over to Ken, I said, "If you'll notice, we have a list in the appendix of all of the previous credentials fights of any magnitude at any convention." We had really done one hell of a job of research. You may want a copy of that brief to put it with the file.

M: Right.

R: Would you hold on for a second? I want to get it.

Appendix C, "Summary of Contested Delegations at the Democratic National Conventions," to my brief for the Mississippi Freedom Democratic Party, refers to the 1944 convention. When I sent it over to Ken, I said, "Please look at page 73 in this Appendix and you'll see something interesting. In 1944, both delegations from Texas were seated and they split the vote of the state. It's my understanding that Johnson was there at that time and that everybody agreed to this. And why? Because nobody was going to vote in the '44 convention.

Roosevelt was going to be renominated, so what was the use of fighting? Let everybody be seated, like a party. Why don't you do the same thing? Nobody's going to vote in '64. Just let everybody be seated. We'll call it a victory and probably the whites will walk out. But it won't be your fault if the whites don't want this arrangement. We'll probably get all the seats. But as far as votes, it's ridiculous to talk about votes when there won't be any."

As I said, the night before we released the brief I sent it over to Ken, pointing all this out. I said, "Just tell both sides that you want to seat them all and that that's the simple solution for everything." I thought it was pretty good research to have found out that everybody was seated from Texas in 1944.

But, of course, Johnson wouldn't do that. I understand that at the convention he got in a room with John Connally and the then governor of Georgia, Sanders. Johnson was feeling out the reaction of the more moderate Southerners. Connally said, "It doesn't matter what you do about unseating the whites, but you let those bugaboos march in and the whole South will march out." That is what Connally supposedly said. I don't say that would have happened; in fact, I think it would not have happened. But Connally was threatening Johnson to keep us from being seated.

When I went to Atlantic City on Thursday before the convention, we had what we needed--more than eleven and more than eight. We had gotten that through the lobbying of the Mississippi Freedom Democratic Party. They had tied up more than eleven and eight

In Atlantic City, I saw Hubert every day--rather every night. I'd never go to bed without going by his rooms and saying, "You've got to give more." They weren't offering us anything.

M: What were they offering? A couple of--?

R: No, no. At the beginning, even at the first credentials committee meeting on

Sunday, they offered us nothing. They offered us tickets as guests. They were really offering nothing! Then on Monday as the convention opened they still offered us nothing. Then on Tuesday they made a real offer: Unseat the regulars because they won't take the loyalty oath, give us two seats at large for Aaron Henry and Ed King, promise that it would never happen again and agree that at the next convention we would be seated. That was offered Tuesday, and it was a pretty good offer when you come to think of it. But we didn't accept it right then and there. I not only refused to accept it, but actually voted against it in Committee. By the time the Committee report got to the floor, we didn't have eleven and eight. You see, coincident with negotiation, the Administration was really giving us the business. For example, Pat Brown told a Negro credentials' committee delegate from California named Verna Canson that her husband wouldn't get a judgeship if she didn't drop out of our group. A delegate from the Canal Zone was told he'd lose his job down there with the Army if he stayed with us. He stayed.

M: Did he lose his job?

R: I think he's out of there, but you're never sure why something happened. Bob Wagner's secretary, a Negro, stayed with us until the final offer Tuesday, but then she said that she had to leave us. A woman delegate from Maryland, a black woman, was on the committee and was all with us. She left early Monday. It was attrition. By the time we got to the--

M: Warwick's not entirely wrong.

R: By Tuesday we were down to eight Committee members and very few states. It wasn't so bad that we didn't have a roll call, because we were really the rummiest crowd you can think of. In a big convention, we were down to the District of Columbia--me and Gladys Duncan--one delegate from Guam, one from the Canal Zone, two from Colorado and one or two others. You see, we not only didn't have the necessary numbers, but we were really only a rump operation by

Tuesday night. So far our operation had been dignified; I didn't want what had been a beautiful and marvelous operation to become a shabby thing.

We couldn't have taken the issue to the floor because we didn't have the eleven. We filed a minority report, which is in the record, saying that our delegation should have all been seated instead of just the two. But we didn't have the numbers to go to the floor with the minority reports. And we didn't have anything left for a roll call.

When Johnson fights, boy, is he tough! Monday night about 2 o'clock, I learned how tough. You see, I was under a terrible strain. In addition to everything else, my son had meningitis and was sharing a room with me. I didn't even know how sick he was. My wife had been taking him to the doctor--he's not a child, he was in his 20's and he is all right now, but I didn't get much sleep at best because we were sharing a room. About 2 o'clock the phone rings and the guy says, "I just want to warn you of something." I said, "What is it?" He says, "You've lost your own delegation." I thought to myself, how could Johnson have done this! I counted among my personal friends and other people who wouldn't have done this to me and said, "That can't be true unless they've got the labor people on our delegation."

At 6 o'clock Tuesday morning, I went to see Jay Turner, who is an old, long-time friend, and head of the D.C. labor movement. I said, "Jay, they say they've got our delegation away from me." This was early Tuesday morning. I said, "I've counted and the only way that could be is if the three labor votes are against me." "Don't worry, they're all for you," he said. We shook hands. He said, "I give you my word if this thing comes to the floor, we'll ask for the roll call, we'll vote with you and we have the votes under the unit rule." I said, "Have they tried?" He said, "Anything I wanted I could have had from them if I would simply go against you." I appreciated that; it makes you realize just how tough the battle was. But he didn't have his price.

M: Warwick's sometimes wrong, too.

R: Yes. Anyway, they had tried to take my own delegation away from me. I hadn't had time to pay much attention to it. I was absolutely petrified. How bad would you look losing your own delegation! In one minute Jay said that the labor votes were solid, and I realized that I had the votes in the D.C. delegation. But there are some people around this town today who had agreed to vote against me, who the Negroes here would be surprised at. I'll just leave it at that.

M: But anyway, they really just made what effectively was one offer then?

R: There was really only one offer. That was the offer I outlined earlier and Walter Reuther ordered me to take it. I told him I couldn't. That was the famous phone call I took outside the Tuesday Credentials Committee meeting. Diggs came in and told me that I had to make a phone call to Walter. I said, "I wouldn't leave this room for a million dollars." He said, "Well, what will make you leave the room?" I said, "Only if Dave Lawrence shakes hands with me that he will not open the Committee meeting until I've made my phone call. That's the only thing that would get me out of this room." So Dave Lawrence came down to me and shook hands and said, "The meeting will not start until you've made your phone call." That was the Tuesday afternoon meeting where they approved the offer.

So I called the number Diggs gave me and Walter was there. He was in the famous meeting where Humphrey and Reuther were talking to Martin Luther King and the Freedom people. Reuther told me what the offer was. That's how I learned what the offer was going to be when Fritz Mondale reported to the Committee. Walter told me what it was. He said, "The decision has been made and I direct you to take it." I said, "I want to make my position clear." You sometimes get deadly calm when you're not calm at all, but you realize that calmness is part of being a good advocate. I said, "Well, I'll tell you the whole truth. It's quite a good offer, but it's unacceptable to me." He

said, "Why?" I said, "Because any offer is unacceptable until I've talked to Aaron Henry. Aaron and I shook hands on the proposition that neither of us would accept anything until the other had agreed to it." It was a joint operation. I said, "I'd like to move to make the acceptance of the Mondale proposal unanimous, if Aaron Henry wants me to, but I'm sure not going to do it this way. I'm going to fight it to the death." Walter was real sore. I said, "There's only one thing you can do. You get a message to Dave Lawrence to hold this up long enough for Aaron and me to talk, and I will do whatever Aaron wants. Obviously we've made progress, and obviously this is good." I didn't know then that I didn't have eleven and eight left. I was acting upon the assumption that we still had eleven and eight. But it was this offer that took away the eleven and the eight.

At any rate I went back into the Committee room--

[Interruption]

M: You were at the point of the phone call from Mr. Reuther and the climax of the settlement when you lost your eleven and eight.

R: So there it was. There have been a lot of stories that there was some sort of a deal, or that Humphrey was in on this, but that's absolutely untrue. In the first place, we didn't have the eleven and eight after Mondale reported the offer, so we didn't have any choice left. In the second place, in the actual Committee meeting, our few remnants did vote against the Mondale report. I asked for a delay of the meeting to talk to Aaron Henry, but you know when a group gets the buck in its teeth, you can't stop it. Besides, we were a day late and the Committee did have to go to the floor that night with the credentials report. At any rate, they wouldn't give me a delay.

Throughout this settlement, there was a promise that it would never happen again. That promise was kept in '68 when the inheritors of the Mississippi Freedom Democratic Party mantle were seated and the others were ousted. Delivery

on the 1964 promise was in fact made and the '64 offer was in fact validated in the intervening four year period. We got in '68 what we should have received in '64, but we got it. That was the important thing.

You asked why Johnson would have resented our pushing this effort. I don't know. On the whole, I think he shouldn't have resented it. But he did. And he fought like a steer. Reuther later told me that Johnson insisted on his coming to the convention. Reuther was very busy and he said he didn't want to come to the convention but Johnson absolutely forced him to come. I think Johnson's main purpose in that was for Walter to use muscle on me. It didn't work, but I think that was the purpose.

M: Still operating on the theory that it might.

R: Still operating on the theory that it might. It didn't. It couldn't have.

Obviously this was bigger than any one person. At the same time on Tuesday that I was fighting inside the credentials committee against the proposal, which I basically thought had much sense to it, Aaron and his group were with Reuther and Humphrey and the others. Dr. King, of course, accepted the proposal there as the best you could get. Dr. King did accept it and he did speak for it.

Bob Moses was the head of the staff of the Freedom Party. He had tremendous charisma with those people and with everybody. He was a tremendous fellow, even if in later life he has gone a little astray. He has changed his name now and will not speak to a white person, but he was certainly a wonderful figure at the '64 convention. Apparently everyone was watching television while they were talking at the Humphrey-Reuther-King-Henry-Moses meeting. On the television came a report that the arrangement they were discussing had been unanimously accepted. That was erroneous. But apparently it hit Moses like a flash and angered him and changed his whole attitude. He stalked out violently angry. Al Lowenstein told me later that the previous Sunday night Bob Moses had told him he thought two seats might be a good idea. But, of course, the wrong two

were seated. This was the result of their not consulting us while they were making up their deal. I didn't know anything about it till Reuther told me on the phone Tuesday. In other words, I could have told them that, if there were to be two, they had the wrong two. They had two intellectuals.

M. Rather than two charismatic types?

R: The Freedom delegation had two groups. First was the intellectuals and professional people. I include in the intellectual group both Aaron and Ed King. But there were also the sharecroppers, and there was no sharecropper chosen as delegate to be seated. I think it would not have run into nearly as much opposition if it had been Aaron Henry and Fannie Lou Hamer. If it had been Mrs. Hamer, she, of course, would have been less opposed, but all apart from that the sharecroppers would have had half--

M: One whole faction.

R: One whole faction wasn't represented--the sharecroppers. Indeed, the next day when I was up at Freedom Party headquarters, I asked Ed King and Aaron if they thought it would do any good if I could get a Henry-Hamer offer because I thought I could get that much. There was enough leverage left to get a change in one person; if Ed resigned, they might let Mrs. Hamer have the seat.

The answer came back from Moses that it's gone too far in opposition to get anywhere. But if that had come at the beginning, maybe it would have been different. In other words, they should have consulted us or bargained with us. Instead, they worked it out among themselves. Johnson said this is the absolute most I will give, and that was what in fact happened.

M: How fast and loose was he playing with the vice presidency during all of this? Was this all a part, was it connected?

R: I don't know too much about that part. All I know is that every Humphrey person except Humphrey kept telling me that I was wrecking Hubert's chance to be Vice President. The only person who never said that to me was Humphrey

himself. All of the people around him were saying that if I didn't go in the tank and accept what Johnson would give us, Humphrey would lose the vice presidency. Humphrey never said that, and I don't know whether Johnson was ever really threatening Humphrey or was just playing a game with us. I simply don't know the inside story of how close Humphrey came to losing the vice presidency because of the Freedom Party fight. I really can't answer your question. I can only say that he never said anything like that. When I would tell Hubert that "you can't do this, you're not offering anything, you've got to see that they offer something," he more or less agreed. I never got the feeling he was saying, "Please take this, get out of the way, I'll be Vice President, and I may be President. Then we'll solve all of these problems." He never once said anything like that. He had very high standards. Maybe he felt that it wouldn't have done him any good to say that; I don't know. I rather feel he wouldn't have said it even if he thought it might have done some good. Hubert has much higher standards than most of the people around him.

M: You've said several times that you've given a complete record, I want to get it on the tape though, to the Eugene McCarthy Oral History Project on the 1968 political thing.

R: Oh, yes. Barbara Delman over there has been patient, plodding, and persistent. She has the whole story of '68 insofar as my work for Gene McCarthy is concerned. I think that she did a very good job in putting it together.

M: Did you get a chance to talk with her about the Democratic National Committee's apparent atrophy by that time? One of the mysteries to me is how someone that you've described like Johnson as a great politician, would at the same time apparently allow that instrument to just dry up to a point of uselessness virtually by the time it was necessary to have it this year.

R: I really didn't go into that. I'm not sure that I know very much about it. The Committee was able to do what was needed, which was to defend the positions that

Johnson was taking. I went to the January '68 meeting of the Democratic National Committee in Chicago because we were having a meeting of the Committee's Special Equal Rights Subcommittee at that time. I talked to lots of people there and the Administration had them all in line. A lot of them were against the war, but all of them were for Johnson. You see, McCarthy had been out for President for six weeks, or five weeks, and I couldn't get one person to come out for McCarthy. I finally told some reporter standing there, and he printed it, "I think we ought to rename the Democratic National Committee, Doves for Johnson. Many of the Committee people would come up and say, "Oh, Joe, you're absolutely right; we're against the war, too." And I'd say, "Well, come on, we need somebody from the Committee on our side--just one Democratic National Committeeman for McCarthy." "Oh, no, we're for Johnson," There you are, "Doves for Johnson!" That's what it amounted to.

Why Johnson wanted it to atrophy, I don't know. John Bailey's a nice guy and I suppose he could have run a strong operation if the White House would have let him but--

M: You don't think it was an attempt to keep it away from Humphrey, to not help Humphrey, or to in some way--?

R: I really don't know that much about it. The whole problem of what Johnson could have done to help Hubert and how, in fact, he often did the exact opposite is another story. I don't have any peculiar knowledge about that. I personally believe that if at the convention Humphrey had either helped us with the credentials fights, which he didn't, helped us with the peace plank. which he didn't, or avoided that stupid statement about what's wrong with what Mayor Daley did, I think he would have been President. How much of Hubert's not siding with the insurgents was Johnson and how much was Humphrey, I don't know. I was working for Gene McCarthy at that period, and I've never known.

I was in the room when Julian Bond talked to Hubert early in the week of

credentials hearings before the Convention. Bond told him that he wanted some help on a particular point on the credentials fight and Hubert had complete power to give him that help. But Humphrey didn't lift a finger for him. So it was my feeling that Hubert was playing a hard line at the convention. Whether his hard line resulted from Johnson's obviously hard line against us on everything, or whether it resulted from something else, I don't know.

I've always thought--this may be crazy--but I've always thought that Johnson wanted to be nominated up to the last minute. Johnson was working feverishly to get to Russia in early August. I always thought he was going to try and come back from Russia as a hero, fly to Chicago with his report and try to get himself nominated. That has some corroboration, little as it may be, in the fact that the Convention managers were going to have a big Tuesday night shindig for Johnson, a birthday party, and see if they couldn't whip things up for him.

I kept asking, "When are we going to the floor with the credentials fights," and Bailey and the others always said, "Tuesday night." Then Monday noon when I was standing outside the credentials committee Max Frankel of the Times said, "You know what they've done to you?" I said, "No, I always hear it from guys like you." And he said, "They're going to put your stuff on tonight." I was pretty hysterical because we weren't ready. In the end they did in fact put it on "tonight." When I inquired of John Bailey why in heaven's name they'd double-cross us like that, he said, "We are told when to do it; I don't know why." I said, "John, is the President coming tomorrow?" He said, "I told you I don't know why."

There was so much hostility to the President that Monday night on the floor that he didn't dare come. I don't think they knew before that just how bad the hostility was. Then they heard that Julian Bond cry on the floor of the convention that night, and Johnson just didn't dare show up. But whether in fact I'm right, that even during that summer Johnson thought he could stampede

the convention, I don't know.

M: That's an interesting speculation.

R: I have no idea. I noticed this morning Roche's piece in the Washington Post in which he tried to make out that Johnson made a nonpolitical move in his March withdrawal. I personally think that's ludicrous. I think Johnson got out when he was told how bad he was going to get beat in Wisconsin. Actually, Gene would have beat him worse in Wisconsin if he was still in the race. Every poll we had showed it even worse. The Johnson people were still campaigning in Wisconsin. What's his name, the Polish congressman from out in Milwaukee, who was--

M: Zablocki?

R: Zablocki. I'm getting him mixed up with Yablonski--I'm mixing up my Poles. Zablocki was the campaign manager for Johnson and he kept right on working after withdrawal. They were on television that Monday night, they kept right on working. I think Johnson would have gotten beat worse if he'd still been in the race. It was that fact which I think pushed Johnson out. I think Johnson wanted to go on for another term and realized that the best tactic was to get out of the race and see what happened. I don't think he has ever been reconciled to Humphrey running. I'm not saying how he felt at the very end for I don't even know who he voted for.

M: You've been very patient. Are there any areas that we haven't discussed that you think are worth going in to?

R: Turn it off for a second, and I'll just look.

[End of tape 1 of 1 and Interview III]

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