INTERVIEW II

DATE: March 1, 1972

INTERVIEWEE: TERRY SANFORD

INTERVIEWER: JOE B. FRANTZ

PLACE: Mr. Sanford's office on the campus of Duke University, Durham, North Carolina

Tape 1 of 1

F: You were sort of an education Governor of North Carolina, and President Johnson likes to refer to himself as the education President. Did the two of you ever get together and discuss education and what to do about it? Were you sort of a kitchen advis on this?

S: I don't think that would be fair. From time to time he would mention it to me casually. I do remember that he asked me to send John Connally all of the material that I had on the kind of program that we had developed. This was when Connally was running for Governor for the first time. But I never did attempt to advise him on the federal programs, and don't know that we ever had anything more than a casual conversation.

F: You and Johnson by sort of background would be at odds on one thing, and that is your emphasis on the strengthening of states and Johnson with a very strong District of Columbia outlook and federal government outlook. Was this a bone of contention, or did he understand what it was that you were getting at?

S: No, I don't think anybody that has been in Washington for four or five terms understands the concept of federalism. I think you fall into the error of thinking that everything can be done by massive programs run out of Washington, and I think we've seen that time and time again in the last thirty years that that's not so. This was no bone of contention because in the first place, I wasn't being asked my opinion on anything of this

kind. I don't think President Johnson got to the point where he was considering the prospects and the strengths that would be brought to government by a stronger reliance on the States. I think like most everybody in Washington they felt it had to be done centrally or that it wouldn't be done right or it wouldn't be done alike or there'd be some variance, overlooking the fact that the great strength of the system is in the possibility of variance. So it certainly wasn't a bone of contention because I don't remember ever talking about it except more or less casually. I did send him a copy of my book, Storm Over the States, but I certainly didn't expect him to read it.

F: It wasn't devotional reading for him, you think. During the last year of your governorship, that would be the first year of Johnson's Presidency with a little overlap there, and this is when the Surgeon General's report came out on smoking, what does a governor of a tobacco state do in a case like that?

S: I started smoking.

F: Are you talking about literally or smoking inwardly?

S: I would occasionally light up a cigarette in a press conference. I don't really smoke, didn't before, and don't now. No.

F: Incidentally, Johnson has resumed smoking too.

S: I never have smoked, and it's no great credit to me. I just never have been able to develop the habit. In any event, I felt that I had a duty to look very closely at the Surgeon General's report. I think as a scientific document it had a great many flaws in it. I'm not even sure it was intended to be a scientific document, though it was sold as one, if for no other reason than the Surgeon General published it, or at least sponsored it. So I felt it was my duty to say that the real need was a cure for cancer in any event; certainly this was demonstrated as one of the causes of

cancer and I didn't think the statistical data in that first report bore this out, that we should do more study on it. So I did the best I could to protect the situation.

I was over here, it so happened, at Duke, speaking to the law school a year or so later and I had some rather sharp things to say about the unwillingness of the federal government to provide safety standards for automobiles; that this was a great cause of death, a tremendous killer, and no state could do it, and this was a good example of where the federal government had to step in because states at least would be ineffective and probably would be in violation of the Interstate Commerce clause of the Constitution if it attempted to regulate that kind of import of an automobile across state lines; that it had to be done by the federal government. Some student asked me if I was so concerned about the automobile industry why I had protected the tobacco industry, and I told him that was very simple; that I lived in North Carolina, not Michigan.

F: A certain amount of political decision. When Walter Heller came out to the Council on Economic Advisers for a sharing of tax wealth with the States, had he had any prior consultation with you? Had he arrived at this independently? I know that you at least embraced the principle, if not the specifics.

S: No, I think that work was done primarily at Brookings with Joseph Pechman doing a good deal of the initial research. My guess is that Pechman is very sensitive about the fact that that's called the Heller plan and not the Pechman plan. I've usually tried to refer to it as the Pechman-Heller approach, or the Heller-Pechman, depending on what part of the country and whose company I was in. As a matter of fact, I did talk to the people at Brookings on several occasions about tax structures and revenues of states, but I don't know that I had any input into that concept. As a matter of

fact, I saw it as a fourth step in the rearrangement of finances between the federal and state governments, and I still think today that that's about where it stands; though I think the first step which was the blocking up of a great many of the categorical grants is being accomplished. I think to some extent the state's reordering of its own finances, its own revenue structure, is being accomplished. I think you can look all across the country and see where states are now facing their own problem with their own resources and how they can get their own tax structures in order and in balance. A great many states still don't have a statewide, broad-based tax system.

F: And of course this Beverly Hills decision forces another look at it on the inequality of taxation in school districts.

S: That's exactly right. The North Carolina approach has been contrary to that now for thirty years of basic state support for the schools, and I think that's a proper decision, but I think it helps demonstrate the fact that a good many states had relied too heavily on the property tax and had no broad-based tax system. But they're shaping that up now.

I also had in mind still another step before I thought the Heller plan was ready. In the first place, Heller proposed this plan as a way to dispose of excessive federal revenues but to keep them in the public sector. He didn't propose doing it to bail out states and I don't think that should be one of the functions of it as such. I thought we ought to have an income tax credit arrangement--law--before we got into pure revenue sharing. So I never have embraced it totally except that I in the long run see the federal government as having the best source of money, and therefore having to pick up some of the bills. And if we continue to pick them up in the same way we have in the past with massive, national, Washington-oriented programs, we're not going to be successful; therefore,

we need to find a way to spend that money in a way that will get the job done, make the government work. So I never did really embrace Heller's concept as an immediate step, and I'm not sure he did.

F: Along in '65, '65-'67, you're on record in interviews, books, and whatnot on the fact that the federal government has preempted the best tax arrangement under the income tax as the only way of raising massive tax monies. The States are skewered on the fact that they'll send industry running if they go into heavy state income taxes etc. Have you had any afterthoughts on that the last couple of years?

S: No, I think that's true. I think that's why I like the tax credit concept which would more or less bring each state into line in the terms of the level of state income tax. I felt that would do away with the competitive angle so that if we were getting a tax credit for our citizens, say a 75 percent tax credit or whatever, we would be inclined to enact as substantial an income tax at the state level as possible that actually would take some of that money away from the federal treasury, but it would do it on the state initiative because of this arrangement that not only would be the incentive for doing it in the states that have been reluctant, but it also would take away the competitive feature between states so that North Carolina would not have to worry about being 2 percent than South Carolina, and South Carolina would have every incentive to join North Carolina. I haven't had any reason to think that that's not still the best source of income and that there are several ways of sharing it.

F: Going back to what in some ways seem like quaint days, in 1964--sometimes we forget how far we've come and how fast--James Farmer announced when he started a new integration drive that Chapel Hill would be his first target, and that's while you were still Governor; that's while Johnson is the new President. Did you and Johnson have any relationship on this, because he's

trying of course to get through what became the 1964 civil rights law, or is this strictly a North Carolina problem?

S: I think that North Carolina had just about led the nation, and certainly led the South, in voluntary open accommodations. We had worked hard at it, we had mobilized all of the mayors to have a better understanding of how to handle the racial demonstrations, and I think we did it in a way that will look good twenty-five years from now just as it looks good now. I think we handled it in a decent and sensitive way. Obviously there were some exceptions, but given the explosive quality of this all over the nation I think North Carolina did an extrememly good job. The Chapel Hill situation was an entirely different proposition, one of the most liberal spots in the state. Farmer and I got along very well, for that matter, except every now and then in public he would come with an outburst that was inflammatory. Particularly at this time, Chapel Hill's Board of Aldermen was inclined to pass a local open accommodations law, and because two or three people overplayed their hands in agitating for this, they turned the aldermen off, or at least enough of them not to get it passed. Furthermore, we imminently were expecting the federal legislation, which would make it far simpler. Beyond that, Chapel Hill had been one of the most liberal communities in the whole South, and the agitation was primarily around one drug store and one restaurant and motel on the edge of town. It wasn't central at all to the problem in the State, or even to the problem in Chapel Hill, but it furnished Farmer and others a good opportunity to press the issue because they had a lot of community support for open accommodations. We should have better been using that energy somewhere that it was needed instead of in Chapel Hill where you had about two hold-outs and the federal law was about to knock them down. Still they let it become a very ugly situation.

The only time that I ever reprimanded Farmer was when he threatened to make Chapel Hill a battleground if the aldermen didn't enact this ordinance. Well, now he could make it a battleground to display his resentment and his dissatisfaction with the system, and we protected that kind of display, not really as a battleground, but I felt as a matter of strong governmental principle that I would have spoken just as sharply to the Ku Klux Klan if they had threatened to shut Chapel Hill down if the ordinance were enacted,that I didn't think that public officials should be coerced in that way, and that I wouldn't put up with it. It was the same thing I told the Ku Klux Klan in Lewisburg and other places in the East, that I wouldn't put up with that kind of coercion of public officials. So I think I was consistent, I think it was unfortunate that Chapel Hill that had so long been a model of advanced thinking in the South and always on the leading edge was picked. It was a rather unlikely place of confrontation at a rather unlikely time.

In addition to that, it had a great deal to do with the defeat of Richardson Pryor, who was running as an open-minded and liberal candidate. It gave just enough support to the man in the middle and Dr. Lake, who I classified then as racist, just enough support to keep Pryor from getting enough votes in the first primary to win. And in the second primary, with the racial overtones, he lost. I felt that Farmer and Floyd McKissick, for that matter, had done a disservice to the State of North Carolina by picking the timing. So not only was it the wrong place and the wrong time, but it had the wrong influence on the future of the State. I have no regrets about reprimanding Farmer, but we really didn't have much of a confrontation. He more or less acknowledged that he was wrong and that he was not going to make Chapel Hill a battleground, and I'm sure that he was aware of the fact that I wasn't going to let him.

F: You and Farmer I would guess would generally see things pretty much along the same line, and yet he has got a constituency that he has to sound off for, or he thinks he does, from time to time, and I presume there's a certain pragmatic cynicism about this. How do you keep him from over-reaching and setting up a reaction, or do you just sort of pray and hope?

S: You couldn't do that. You couldn't cut them off, and indeed shouldn't have tried, and I didn't. I had no qualms about his saying anything he wanted to say, except where he overreached, I think only this one time.

I had Farmer come to the Governor's Mansion. It's hard to think now that that was rather unusual but it was, and no longer ago than that.

F: That's what I say, this seems quaint almost now.

S: I, in the course of conversation, simply inquired what he had been doing. It turned out he'd been a labor organizer and I said to him in good humor, "Now, I understand what you're up to. You're not really after the same short-term objectives that I am. I'm after steady progress, you're after organizing." So I think I understood that, and I think he had some degree of confidence that what I was doing was based on good will. I never did really draw to confrontation with the leaders on either side except one or two times when the Ku Klux Klan overreached, and this one time when they did.

F: You have a mixed constituency here in North Carolina, we needn't delineate it. Was there a feeling that Johnson was a traitor to the South because of his civil rights attitude?

S: No, I don't think so. Everybody's a traitor to the cause in the eyes of some people if they're different. I would say that Johnson never lacked a majority in this state, and I don't think the concept of good will in race relations ever lacked a majority in this state. I think a vocal minority at times bitterly complained about Kennedy and bitterly complained about

Johnson, but there's still a vocal minority bitterly complaining about Nixon. I don't think at any time did Johnson receive criticism for being a traitor to the South in any sizeable amounts; he later got criticism for other things that probably became a general feeling in this state, but not for that.

F: Lady Bird came through in the fall of '64 on that whistlestop trip through Dixie, and you joined the train. Let's talk about that a little bit. Tell me what you remember.

S: Okay.

F: First of all, was there any real problem politically? Of course you're limited against running again, so that's not a consideration for you, but there must have been a lot of politicians who were wondering whether they ought to get aboard.

S: I supported Harry Truman when Strom Thurmond and Dewey were running, and I was a budding politician of Cumberland County. I supported him openly and to the dismay of the local Democratic leadership, and as a brash young man offered to debate the state treasurer for the Dixiecrats who happened to live in my town.

F: They thought Terry Sanford wasn't as smart as they'd thought he was.

S: But anyhow we carried the county and carried the state. I supported Adlai Stevenson, and I supported John Kennedy, and I supported Johnson, and I supported Humphrey. I've never drawn back one inch from supporting the national candidate, and I've never really suffered from it. It never occurred to me to do anything else except I hadn't expected to take the lead in that campaign. I naively thought the candidate for the Democratic party would take the lead for Johnson, especially since Goldwater, because Goldwater didn't have any chance of carrying this state. I had expected he would take it as I had taken it four years earlier and blended in into my

campaign. But Governor Moore wouldn't even mention Johnson and shied away from him completely, I think with some sense of uneasiness, but at the same time with a lack of that kind of political determination or confidence in himself to carry both. I didn't quarrel with it, but I was a little bit surprised; it became apparent that if the Democrats were to mobilize I had to do it, so I did it. I'm not sure I ever talked to President Johnson about it. I had a press conference one time, made a strong statement that we were supporting the national ticket and we were supporting Lyndon Johnson, and we welcomed in due time--this didn't all happen in one day--welcomed Mrs. Johnson to the state. Prior to that time I'm sure we'd been in consultation with the White House staff about their arrangements.

F: I was going to ask. They would probably ask you where were good stopping places, or at least your staff.

S: We certainly worked with them very closely on that. Our party chairman worked very closely with the national party on the arrangements, so that there wasn't ever any real question about it. While some people might have thought Goldwater would sweep the state because of racial and economic and general political, philosophical approaches, I never did think that was the risk that we'd taken in all of those other campaigns. Everyone of those other campaigns had been a more difficult position than this one. Of course I was Governor. That made it easier, maybe. But in any event I didn't think people were taking the gamble then that they'd taken before and since.

I was amused that Mrs. Moore got on the train when it came into the state, with a great deal of reserve, but she was going to get on it. But by the time we got to Raleigh she had just gotten so carried away by what was going on that she had virtually committed Dan Moore to Johnson publicly.

By the time we got to the auditorium that night she embraced Lyndon Johnson on the stage in a way that left no doubt of her affection, warmth and enthusiasm for the cause. She just got carried away by that day, and that day committed Dan Moore.

President Johnson came to Raleigh that night and spoke and she broke out of the train ride in order to do that, and then I think we continued it the next day on through Greensboro and down to Charlotte, or wherever. Mrs. Sanford and I stayed on the whole time. We got on in Virginia and either got off in South Carolina or Charlotte, but anyhow when it was finishing up in the state.

President Johnson and I and Dan Moore rode back out to the airport after the speech.

F: He just came in to Raleigh and went back out from Raleigh?

S: Yes. They had the bubble top car here. I remember going out that Mr. Johnson pulled the figures on Dan Moore that our polls had shown, and it showed President Johnson running very well. President Johnson was saying to Dan Moore that he hoped he'd come on and support him; that we ought to all work together; that it ought to be pretty obvious that he wouldn't hurt Moore. Well, Dan Moore didn't give a positive answer but he seldom ever gave a positive answer, but at least he was impressed by the fact that--and he was riding in the car. That in itself was some kind of an endorsement. I don't mean to portray the picture of a timid politician, but he certainly was always an extremely cautious politician. He later did mention Lyndon Johnson's name, and as a matter of fact Johnson got a better vote than he got in this state. He got I think more votes and a larger percentage. My memory may be faulty on one of those, but I think he led in both ways, so it was obvious that he didn't hurt him.

F: Do you have any special vignettes of that trip that you remember? Were the crowds generally hostile, indifferent, tolerant, enthusiastic?

S: I think the crowds were very good crowds, there wasn't any question about that. But on an occasion like that it's usually your crowd. Our organization got the people up to come to the train stops, and there wasn't any reason to expect any hostility.

F: Was there any difference between the city crowds and the whistlestop crowds?

S: They were all our crowds. They came because they wanted to see her, and they came generally because they were supporting the Democratic party.

F: Did the blacks turn out?

S: Not in great numbers because they hadn't started turning out much for this kind of thing in '64. We had our share of them, and I'm sure we had our share come on the train at various stops. Durham, for example, I'm satisfied we had the black leadership in Durham come aboard, and maybe ride to the next stop. You know, this was the technique--having various people. We had our share of black leadership. That was the first year that we had ever had any blacks in this country go to the Democratic convention. I named two, which seems, to use your word, rather quaint; that just no longer than '64 it was considered somewhat radical to put two blacks on the Democratic delegate list. The question could very well be asked "Why didn't you put 25 percent?" Today that would be the question. But in that day a great many of my advisers wanted me to keep it quiet and not let it be known that I had anything to do with it, when obviously I couldn't have avoided that if I'd thought it was wise, which I didn't.

F: Did Johnson talk to you at all about coming into his administration?

S: No, not directly.

S: I would say probably, certainly not at that time, but later. You never quite know whether you're seeing a Cabinet post dangled or not, especially if you are as totally disinterested as I always was in any Cabinet post. But I take it that I was asked, at least indirectly, by aides of his on three different occasions, so I would say probably, though who knows. He did ask me in '68 if I would replace Orville Freeman as Secretary of Agriculture when Orville left to manage Humphrey's campaign. He asked me that on the phone and said that he didn't think it would do me any harm to be in the Cabinet, it might do me some good being there for the rest of that term. I told him I didn't think so because I just didn't much want to be a Cabinet member, and that I couldn't cut loose from what I was doing, and that we could talk about it. Well, it turned out that Humphrey didn't ask Freeman to be his campaign manager and there wasn't any vacancy, so I never faced that. I'd forgotten that little episode until you just mentioned it, but it was on his birthday during the convention. I was talking to him on the phone. He may have mentioned it to me again a week or so later, but in any event he might not have been serious about it or he might have. But I had no interest in it and felt it would be a mistake on my part up here to have that kind of selfish interest in the national scene, that I had pretty well demonstrated over the years that I was doing it because I thought it was right and not because I thought there was any little personal reward in it. I had something to be gained, I thought, in maintaining that posture.

F: In that birthday conversation did he talk at all about the convention?

S: I was at the convention, and as I recall I called him up because--

F: You know, one of the big questions was whether he would even come.

S: That was about the time he had decided he wouldn't come, and I just called him up to say "Happy Birthday." I figured nobody else was talking to him, and I was there and it just struck me on impulse to do it so I did it. I didn't have any real reason for doing it.

F: I imagine he was pleased.

S: I don't think it displeased him.

F: Did he say anything much about the convention, because I'm sure he was watching it on TV?

S: As a matter of fact, he assured me he was having nothing to do with it, but we didn't really get into that. It wasn't much of a--

F: That convention is often talked about by both the anti-Johnson Democrats and by Republican as having been stage-managed for Humphrey by Johnson. Did you think that Johnson was pulling the wires?

S: I don't know really. My guess is that through his Democratic National Committee people that he pretty well decided how he thought it ought to be run, and they were doing their best to carry it out. I don't think there's any question about that, and I would think that would be a perfectly normal position or level of activity for a President to take. I think he watched very carefully, and I'm satisfied, though I have no first-hand knowledge of this, that he kept in extremely close touch with the plank on the war. I could almost see his hands because I happened to be watching that committee pretty closely, the platform committee, for the Humphrey camp. That was one of my assignments, to keep in touch and be on top of what they were doing. There were some strong Kennedy forces in there, led by Kenny O'Donnell and others, to have a more liberal plank. I sensed a strong Johnson--and I mean by that not necessarily personal, but I expect to some extent personal--a strong Johnson influence that the plank would come out in a way that didn't discredit him. I think there's some truth in

the fact that he had a lot of influence on the convention, though stage-managed suggests some kind of artificial approach that I don't think we had. Nobody stage-managed that thing into what it was.

F: If they did, they sure lost control of the script, didn't they! You came out in April for Humphrey over Bobby Kennedy, and this is of course two months before Bobby was murdered. Did Johnson indicate anything to you one way or another how he felt about your plans?

S: I don't really recall that he did at that time. It so happened that Mrs. Sanford and I were in Washington to go to a dinner in the White House, and that afternoon Mrs. Johnson asked us to come over for tea with a dozen people, which was a very pleasant visit. I also got a call from Vice President Humphrey either the morning before or the day before or that day, asking me to be on his national committee that Harry Truman and others were on, and I agreed. I got a call later that day asking us to fly to Winston-Salem with him the next day. He was going to Wake Forest to make a speech. We did fly with him.

I'm not sure that Mr. Johnson and I even talked about it that night. I might have said that I was helping Humphrey or I might not have, I don't recall that it was of any importance. I'd already agreed to do it.

F: Did you have any role at all in that honorary doctorate that Nixon was to get down here and then didn't get?

S: Oh, no, that was when he was Vice President in the first year or so. I had no--

F: That's just a vagrant thought that came across my mind.

S: No, I had no connection with Duke University at all. I had gone to Chapel Hill, undergraduate and law school. I was later by virtue of being governor chairman of the board. All of my connections had been away from Duke. I must say that I think that was an error that was handled badly;

that it could have been handled more discreetly. I've seen one or two situations since I've been here where you felt faculty resentment about a particular degree. It's possible to very discreetly shelve it for a year without anybody knowing or without it being an embarrasing situation. I think they handled it badly in having a confrontation in the first place, and then letting it be voted down in the second. Once the administration was committed to it, from what I know about honorary degrees and the procedures attached, it was a needless thing and it certainly was a shameful thing. I think there was justification at the time as the faculty viewed Mr. Nixon and his activity on the part of Joe McCarthy, but still I don't think it really speaks well for Duke. Since you are putting these things in the vault and they won't be published in the next year or so, I'd like to see Duke give Mr. Nixon a degree, except I doubt if he'd take it now. But somehow that ought to be rectified, not because he's President, but because it ought not to have been done in the first place. I think he's moving closer in his affection for Duke now. I've had several conversations with him and little bit of correspondence. We had his daughter down here a month ago and insisted that she come to the campus for lunch when the environmental people had set it up over in the Triangle. I said I wouldn't go to that but I'd invite her here. I insisted that she go to the law school and the Secret Service said no, so after she got here I took her to the law school anyhow, because I told her the best painting ever done of her father was down there.

I digress here in the Johnson papers to talk about Mr. Nixon. I never had any political fondness for him, but I think a man's alma mater is a different thing and I don't think they treated him decently. And in my nonpartisan way I'll rectify that.

F: I rather think, from my perambulations and no official sources, that he looks on this as kind of a spiritual college--this is the place that opened his eyes as against his undergraduate West Coast--

S: Of course this has to be his university because whatever college that is, it's not anything like Duke University Law School. So be it.

F: I didn't mean to get off on that. Did you consider seriously running against Sam Ervin or was this just paper talk?

S: I considered it seriously. I went into it more thoroughly than I've ever gone into anything else, including the time I ran for governor. I'm glad I didn't run, but I spent a lot of my friends' money trying to get a reading on what the situation was and I concluded that I could beat him probably. But I concluded that if I did beat him I would have divided the state so badly that the candidate for governor, Bob Scott, would have been defeated, and I probably would have been defeated in the general election, too, and that it just wasn't worth it. I didn't want to be a senator that badly. I think I did Senator Ervin a lot of good. I think he has come on with some much more progressive attitudes that he started developing in the heat of that little short campaign.

F: There's nothing like knowing if you don't shape up somebody might run against you.

S: I take some credit for his more enlightened attitude toward the civil liberties, or at least his more vocal championship. At that time Sam Ervin properly had the title of being a constitutional phony in opposition to civil rights. There wasn't any question but what he used the Constitution to conceal a racist attitude, and I think he has changed. And I think not just because I started to run against him but because I think he has mellowed and grown in understanding. I think really he's a

very splendid person. I've no animosity whatsoever, but I felt that kind of an attitude and a stance that he was projecting ought to be challenged, and had it been in an off year when the governor wasn't involved, I probably would have gone on.

Since I've never put this down in the record anywhere, we have an east-west tradition in North Carolina, one senator from the west, one from the east, for years and years, maybe forever. I'm from the east and he's from the west, so the thought that I would challenge him was sort of outrageous, he wasn't my man [by that standard]. I came back from being in Europe for two months, where I was teaching, in the mid-fall, about the middle of October, and took a poll. Then I announced that I was thinking about running against Sam Ervin and started appearing on some television programs and so on, and took another poll. And then I mailed out 200,000 letters in the area where we had taken the poll to see what that kind of campaigning would do. That was a nonvisible campaign, or more or less nonvisible, but it illustrated what would happen if I did start talking about things. And the poll moved from where I was about fifteen to twenty points behind him with about ten to fifteen points undecided to a point where we were about ten points apart to the final poll, which at that early stage was I think still rather remarkable, it was 45-45-10, the ten undecided. There were some disturbing things in there because a good deal of my support could be called the Dr. Lake-Wallace voter that was supporting me for different reasons. I was afraid that if the campaign developed and it got into a racist kind of a thing that those people would fall off of me and that would soften my position. On the other hand, I was totally encouraged that with that little activity I could change it that fast. But then when I looked at the issues and the people that would be involved and the old-timers, it would have been the worst campaign, the toughest campaign that North Carolina would have had

in my memory, and I just didn't think it was worth it. I never did really want to be a senator anyhow. I have said so on many occasions before and after. But I thought there was a whole lot of merit in shaping him up and probably beating him if you could. Then in the final showdown I decided it wasn't worth it.

F: You're an old FBI man. Is Sam Ervin correct on the fact that the FBI is in a lot of places that it probably has no business being?

S: I don't think there's any question about it. And not in a lot of places they ought to be. I think an agency that could stop interstate crime and kidnapping and that kind of organized crime that came out of the bootleg era could get at the drug problem. Now admittedly this is not exclusively the jurisdiction, but I think it's shameful that we can't reach the real source of that. I do think the FBI is hypersensitive to things that ought not to be the concern of a police agency in a free democracy. I think we're a little paranoid in the FBI as much as in any other part of the government. I think it's too bad, because I also think the FBI has been a great organization.

F: In the matter of administration, I don't want to repeat what you've written, which is eloquent and full, but do you have some sort of an administrative bloc there and an administrative mentality in public service that you just can't quite get over regardless of who's elected so that the professional administrator goes on administering his way, or can you exert enough force to turn that around?

S: I think enough force can be exerted to turn it around. I don't think enough has been exerted. I think the federal government is so organized that people are shielded and hidden in their own little enterprises in a way that the ordinary political leader can't touch them and can't shape them. President Kennedy, as many have observed, had trouble getting the

government moving in spite of his determination, and President Nixon has had a good deal of trouble in stopping the government moving, according to his declared intentions, especially in the field of civil rights, HEW, Justice Department, in spite of him, and more or less open confrontation with the President. That much open confrontation hides a great deal of unspoken, hidden confrontation in terms of ideas, where the bureaucracy simply doesn't respond, or if it responds, it responds from some special interest point of view, so that largely we have an unworkable government, if government is supposed to carry out the policies and the will of the people as expressed in various ways, even through Congress. Congress seldom gets its will executed properly simply because the President with every desire to do so can't get it done. Our government is just too fragmented right now, I think, to carry out any policies. So I don't think there's any question that--

F: It's kind of government, to a certain extent, by the lowest common denominator.

S: It's overstructured and it's fragmented, and there's just not any way at the present to make it work effectively. I don't mean to make a political speech.

F: No. Did you get the feeling that President Johnson did not understand the intergovernmental relationship between state and federal needs?

S: I haven't seen anybody that came out of the Senate that understands that. Even Ribicoff, who ought to know better, falls into the error of thinking that some kind of massive traffic program, for example, is the answer when there are just too many differences around the country. I think Muskie, who came out of a governorship, had a great opportunity and never did anything about it except a little talk and a few hearing about governmental relations. But nobody has ever attempted to put the federal

system together in a way that we could draw on the strengths of all of the governments--the local governments, which are part of the state governments; the state governments and the great fiscal strength, as well as in certain fields of endeavor, the objective strength of all together. Now there are some things that can't be decided at the county level that have to do with matters were just too close to determination there. I think environmental concerns would have to be handled on a broader base, maybe a statewide base, because one little community with one chamber of commerce and one board of realtors and one determined mayor and city council can get an industry in that would pollute a river and smell up the land, and they often have. In the question of civil rights the state wasn't a large enough constituency, or wasn't far enough removed to handle that in a state legislature. As it turned out even Congress wasn't far enough removed. The basic decision had to be made in the nondemocratic element of society, the Supreme Court. But at least Congress was in a position to implement it, whereas no state government where they had the problem was in a position because of the constituency. So there are all kinds of implications to federalism. It's not all one way or the other, but there's a blending that I don't think is really understood by a person that's looked at America from Washington.

F: You've had a unique position as a state official with national stature. Strictly politically did you have the feeling that the party deteriorated in a machinery sense under Johnson, that he was too much the sort of courthouse leader and not enough of a kind of organized party man?

S: I wouldn't want to adopt the word "courthouse leader" because I'm not sure what you mean by it, and the implications are not what I would like to suggest. I think Johnson probably felt that he really didn't need too much party organization; that he didn't need to rely too much in input from

party leaders around the country; that by the sheer force of his personality and the things he stood for that people would follow him anyhow, and that he didn't really need much party. I could be wrong in that, but I don't think he saw the necessity for bothering with party organization because I think he felt, with some pardonable vanity, that he was the kind of leader that people would rally to without organized backup. Certainly what he did with the party would suggest that.

F: One final question. I'd be interested in a comment from you on why North Carolina has been a kind of progressive island. Why the difference between North Carolina and South Carolina? Going back to the whistlestops, for instance, Mrs. Johnson ran into her first real hostility when she got below the North Carolina border. Why should it have happened that closely?

S: A lot of it was historical luck. We happened to elect governors around the turn of the century and the first part of the century that were on the moderate side, that at that time you were a radical if you believed in educating black children. It had nothing to do with oppressing them. If you were for educating them you were some kind of a radical. And by not many votes North Carolina went one way and Georgia and South Carolina and the other Southern states went the other way. And because, I think, we had the first state university in the country and after the war one of the centers of advanced, if not liberal, thought. Later with such people as Edward Ketta Graham and Howard Odom and Frank Porter Graham. We've had this source of the development of the leadership that no other state in the South has had. There is no other Chapel Hill in the South. There was no other Governor Aycock who admittedly was a segregationist and a redshirt, I suppose, but nevertheless was an education governor at a time when it made the difference. Not that we got that well educated but at least we had the right goal when other states were turning to repression

and racial discrimination beyond just leaving them out, but actually putting them down. At least Aycock in the first four years of the century was championing the cause of the black. I pulled a quotation from Aycock to use in demonstrating what I thought the policy of the state should be in the early '60's--that the white, in effect, without attempting to quote him directly, the white man could never achieve his hopes and aspirations as long as he held down the black man. That was a radical position in 1900. He probably didn't run on that but after he got elected--he ended up a very unpopular man in spite of the fact that he's one of the great names now in history. He ran and apparently wasn't going to meet much success for the U.S. Senate. He happened to die while he was in the middle of that campaign. But he had developed a lot of animosity by taking those stands, but that may very well be that little historical difference--a piece of luck, that he got a few thousand more votes than the next man, that put North Carolina on a difference course and it has stayed on that course.

F: Did you get a feeling, looking at it from the state's standpoint, that the Johnson Administration put through more social legislation than could be absorbed, which is a charge made sometimes?

S: That's true, but so did Franklin Roosevelt. We haven't absorbed all of his legislation, and certainly we haven't refined and corrected it. This goes back to the proposition that there's not any way we could have absorbed it with the present structure of government and the present relationship between the elements of the federal system. I wouldn't find fault with President Johnson on that. I think it was remarkable he put through that much. We haven't absorbed it yet, and we're not likely to absorb it until we get the system where it can be more flexible and can adjust to the need for improvement and to change conditions and to

variances around the country. So I don't think that's a very valid charge, because we haven't assimilated the other efforts of other Presidents.

F: Anything else we ought to discuss?

S: I don't know. I really don't remember the range of the subjects at our first interview, but I think you've pretty well followed this along step-by-step.

F: Thank you.

[End of Tape 1 of 1 and Interview II]

PLEASE NOTE TEN YEAR RESTRICTION ON NEXT PAGE.

GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE

Gift of Personal Statement

By TERRY SANFORD

to the

Lyndon Baines Johnson Library

In accordance with Section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397) and regulations issued thereunder (41 CFR 101-10), I, Terry Sanford, hereinafter referred to as the donor, hereby give, donate, and convey to the United States of America for deposit in the Lyndon Baines Johnson Library, and for administration therein by the authorities thereof, a tape and a transcript of a personal statement approved by me and prepared for the purpose of deposit in the Lyndon Baines Johnson Library. The gift of this material is made subject to the following terms and conditions:

1. Title to the material transferred hereunder, and all literary property rights, will pass to the United States as of the date of the delivery of this material into the physical custody of the Archivist of the United States.

2. It is the donor's wish to make the material donated to the United States of America by terms of this instrument available for research as soon as it has been deposited in the Lyndon Baines Johnson Library.

3. A revision of this stipulation governing access to the material for research may be entered into between the donor and the Archivist of the United States, or his designee, if it appears desirable.

4. The material donated to the United States pursuant to the foregoing shall be kept intact permanently in the Lyndon Baines Johnson Library.

Signed Terry Sanford

Date Dec. 18, 1975

Accepted Harry J. Middleton
Director, Lyndon Baines Johnson Library for Archivist of the United States

Date December 3, 1975

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