INTERVIEW II

DATE: September 17, 1969

INTERVIEWEE: JAMES SYMINGTON

INTERVIEWER: JOE B. FRANTZ

PLACE: Congressman Symington's office in Washington, D.C.

Tape 1 of 1

F: Jim, when we talked last time, we got through the election of 1960 and your memories of that, and so I thought that we would go forward from that point.

The first question that I think that I'd ask you: your father and now-Vice President Johnson had been fairly close as senators, and then become competitors, which always--it doesn't always, but usually--leads to a certain amount of distance being made between men.

I presume that you inherited some of that distance?

S: Well, not really, because in the first place, it's a different ball park, really a different ballgame, and in the second place, my father really never brought these things home very much. He kind of left them at the office. There were some difficult moments, I think in the campaign, where every candidate tends to impute some horrendous event to the machinations of a rival.

There was one particularly unpleasant article by Mr. [William S.] White in Harper's, and that gave cause for a little concern

for a while, but as a matter of fact no one seemed to notice it. It went by like so many of those things do. Really, Dad's reminiscences with all his old friends, or on the behalf of them all, are really quite warm. He remembers the good things. You might as well; there's only room for one guy at the top, and in the meantime there's room for a world of friends, if you can keep them.

F: I was thinking more of the fact that probably Vice President Johnson had drawn away from the Symington family.

S: Well, I suspect that he had a lot of other things on his mind besides the Symington family. We used to go and visit a little bit when I was much younger, as I said before, but that was when he had more time anyway. And they were actually working concurrently on projects and things of that kind. There'd be reason for it.

F: Did you see much of him while he was Vice President?

S: Very little. I must have passed him a few times in the corridors of the Executive Office Building. He was working on civil rights and things like that.

F: But he never really tried to utilize your abilities?

S: Not during that particular time, I didn't think.

F: Well now, when did he really get back in touch?

S: Well it wasn't until--let's see, I went through the Food for Peace period. The only time that I really saw him then was during the ceremonial functions involving White House affairs like the Alliance for Progress.

F: He took no part in that himself?

S: Not really that I recall, in the Food for Peace Program. He may have met with McGovern; I don't know really about that, I don't think that was really his bailiwick so much as, as I recall, more domestic programs, and perhaps in the civil rights field, schools, and so on. When I was in Justice under Robert Kennedy, he was the head of a delegation, I think, to discuss a Peace Corps equivilence throughout the Caribbean, down in Puerto Rico. If I'm not mistaken, I think that he went to that. He headed the delegation to that.

F: But you didn't have any close contact with him at that time.

S: I didn't have any contact with him at the time. Really, the first contact was when I was back in law practice in 1964, and it was while I was campaigning, in a sense, for my father, who was running for his second term. I campaigned, too, for the Johnson-Humphrey ticket, and sang some duets with Lynda Byrd. I was in a Washington firm, Arnold, Fortas, and Porter. Abe was a great friend of the President, so I had some feeling then of the association, although it was kind of secondary to me. It's from that law job that I was appointed executive director of his [Robert Kennedy] Committee on Juvenile Delinquency.

F: Before we get into that, while you were in Justice, did the ill-feeling between the Vice President, later the President, and the Attorney General filter down to the lower echelons?

S: Oh, I think so. Yes. Call it ill-feeling, mistrust, friction, just a lack of sense of comfort in being together, that's for sure, and a

lack of understanding and trust based on old scars. Sure. It doesn't go down into the civil servant area, guys that have been there and seen them come and go, but it would certainly be visible in the staff positions, the appointive positions, and reflected in the kind of humor that they use on both sides. The President has his people, and of course Humphrey had his little set of people, and Bob had his, inherited and some new ones. I would say that the top guys were more circumspect and proper, at the assistant attorney general level. I think that that's why Johnson was reasonably anxious to keep on some of those guys. You never heard these disparaging remarks really from people like Katzenbach or Burke Marshall, obviously Clark, fellows like that. If you get a lot closer to the kind of retainer-type fellow that had always been with Bob, you'd find it in their families and so on; just as I certainly found the reverse if I would be with some of the President's close friends.

F: Were you still in Justice when the President made his announcement that no member of his Cabinet was going to be the Vice President?

S: Well, when did he say that?

F: He said it, I guess, in the summer of 1964.

S: Yes. I was not in Justice; I was out practicing law.

F: So you didn't get any evidence of the reaction?

S: No, I really didn't.

F: Now in 1964, your father was running again, and of course the President was running for an elected term, so that didn't leave

you free to do much in the presidential campaign, did it?

S: Well, except insofar as I campaigned pretty hard for the whole ticket. In fact, there was one time that I had a great chance to give a talk to all of the Young Democrats in Missouri, and I contrasted Goldwater's statement and record with Johnson's in what, I thought, was maybe an amusing way. I worked on it a little bit, and I sent a copy to Bill Moyers. I remember that Goldwater was advocating, for example, defoliation, and I said that the Republican Party, in a hundred years, had gone from the Great Emancipator to the Great Defoliator, and that was received well. It may have been that some of that got back to the President, but I was pretty much within the confines of the state. I took an occasional trip outside, not far, like Arkansas or something, to help other candidates, but there was no question that we were campaigning really for the whole ticket, and no reason not to. None of the strange things were occurring within the Democratic Party that surfaced in 1968. So in a sense I think that was a drawing together again, remarriage, you might say, professionally and, really, personally.

F: From a presidential standpoint, it wasn't a difficult ticket to sell in Missouri, was it?

S: Not at all difficult to sell. No. Actually, you see, in Missouri there was some question as to whether President Kennedy would have carried the state again in 1964, and most people felt that Vice President Johnson was kind of the anchor, if any, to windward,

to hold the ship in line and not let it get carried away on winds of liberalism, you might say. So that when he became the candidate, why it was an easy adjustment for the state to make. And many Republicans, fearful of the notions of Mr. Goldwater, also supported Johnson. I forget what majority, but it was pretty healthy.

F: Did you attend any functions in Missouri to which the President came during the campaign?

S: Golly, I don't think he came more than once or twice.

F: Nothing stands out?

S: Nothing stands out. Luci did come to Gussie Busch's picnic for Johnson at Grant's Farm, St. Louis County. I sang some songs for the ticket. Humphrey came into Springfield, and I was commandeered to hold the audience for the usual lateness of the triumphal party. For about an hour I sang country music on a flatbed truck in the middle of a square there. If the President came, I was in another part of the state. One of the things that we did was spread ourselves pretty thin. I was even seldom with my father, for that matter. My brother and I . . . he would go to certain counties, and I'd go to others, and we'd split up. I don't really remember the President's Missouri campaign. You know, his time was vital, and he probably got some advice saying: look, you're not in trouble here.

F: You can spend your time better elsewhere?

S: Yes, where you need it. He [Johnson] was elected overwhelmingly, and I went back to the firm. But I think around February or so, Nick Katzenbach called me over and said that the President had asked him how we were doing in Juvenile Delinquency.

Dave Hackett, I think, had quit to help Kennedy in his senatorial race. Right? So there was nobody acting as executive director of that committee, and it either atrophied into nothing or we identified what its mission was and put somebody there. Nick virtually said, "I'd like to know whether it will work. Will you take the job, and find out, and tell me?", and that the President had hoped that I would.

F: Yours was as much a questing for information as it was a rendering of service?

S: Yes. It was one of those things with the departure of Robert Kennedy, who had given it such an emphasis in his daily routine because of the interest of the President in youth and problems of crime with their source of delinquency and conduct. He [Robert Kennedy], being the named chairman of the committee consisting of himself and the secretaries of labor and HEW, could have his own man, who was his good friend and roommate Dave Hackett, carry the ball, resulting in rather extraordinary initiatives--the Har-You Act in Harlem, the Mobilization for Youth down on the Lower East Side, and things like that, which were later merged into the Poverty Program.

The Poverty Program really grew from little seeds which were planted and developed by this tiny committee, the President's Committee on Juvenile Delinquency [which was] run with HEW money [and] somewhat awkwardly administered in main strength by the President's brother, the Attorney General, causing considerable

concern, to put it mildly, in HEW, from Wilbur Cohen down, or you might say from [Abraham] Ribicoff, [Anthony] Celebreeze, and [John] Gardner, [who] were the three fellows who had it. I guess Kennedy left before Gardner came in. Goldberg was at Labor at that time, that was the other departmental member, and Bob sort of ran the thing like it was his own property.

This naturally created problems in the funding agencies. Justice had no dough, so it was Labor's Manpower Fund, and it was HEW's Juvenile Delinquency funds, and other things that they could scrape up, that provided the resources for doing it. So you had to balance the good with the bad. The good was that things happened that perhaps wouldn't have, that were the beginnings of ideas like community development, like the roving leaders in the streets trying to get kids off the corner and doing something useful, either productive or recreation, controlled and supervised and so forth. Back to school, get the drop-outs learning a trade, this sort of thing was all under the Juvenile Delinquency Program, and Poverty grew out of that. On the negative side of the ledger, while all this was happening, it was happening in a bureaucratic, a very bizarre bureaucratic way, without clear lines of authority to the people who had the money. This was all right for a while, but it couldn't have lasted forever. There was bound to be some kind of clash.

So as long as Hackett could go into Bob's office with a note saying this is what I want to do and I'm getting a little flak,

he would come out beaming, with a sign-off, and he would go and present his ultimatum to HEW or Labor. But, when Bob left to run for the Senate, it was a very untenable thing for Dave as the Executive Director to turn to Nick, who knew nothing about it.

F: And didn't have the same--

S: And didn't have the same relationship with the President, you see, obviously; not only for that reason, but I think more particularly because he [Dave Hackett] wanted to be with Bob and helping him pursue his political future. [So Hackett] left, and that left this vacuum.

When Johnson got elected, Nick had the job, and he really didn't know what was involved; but they knew that there was an executive order establishing this program, and they knew that it was a useful exercise, because there were some ongoing grant demonstration programs.

F: You think that the President suggested you to Nick?

S: I've no idea.

F: You don't know how you entered the picture?

S: I may have indicated an interest in returning to serve in that government.

F: Indicated to whom?

S: I imagine to Abe [Fortas], because I was in his firm. So that may have been the route that it took. I just don't know beyond that.

F: At any rate, you're back now. What state did you find the Committee in?

S: Well, it was a state of collapse I would say. In the first place, I discovered that the members of it had never met and, great moments in bureaucracy, I got them to do that at least once. That was Gardner and Wirtz. They came over to Nick's [Nicholas Katzenbach] office and sat there to decide what their mission was. Wirtz said no agency likes to be coordinated from the outside, and the other fellows sort of said "amen" to that. All they agreed to do, therefore, was to share information.

You see, they all had different programs. HEW had four or five different delinquency programs emanating from different subdepartments, like N.I.M.H.; Mental Health, they had grant programs touching on delinquency; so did the Children's Bureau; so did the Office of Juvenile Delinquency. That's only three. There were a couple of others in HEW; Labor had its Manpower and one or two others. Justice had none. And it was pretty hard to get these people to even tell each other what they were doing. So I found myself really digging into the morass, the internal works of these great agencies, to find out what they were doing. I also wrote all the states and asked them for reports on what they were doing and how they thought that the federal government could improve its input, and I got fifty reports; I think they all sent them.

F: All responded?

S: Yes. I presented this rather large heap of papers to Nick [Katzenbach], and we tried to boil it down.

F: Did you learn anything?

S: Oh, plenty, and I visited a lot of institutions and began to see the difference between the ones that were helping boys and the ones that weren't.

F: Is this normally a Justice Department project?

S: Well,not particularly.

F: Well, the way justice has been pursued through the years?

S: You see there--

F: I'm not trying to quibble. I'm just trying to--

S: Well, there were two aspects to the work of building boys into honest citizens. One is preventative, and the other is correctional. Now on the correctional side, Justice had had some experience because it ran the prisons, at least the federal ones, and could perhaps compare and contrast different methodologies of handling young boys in trouble in the different institutions that it had around the country, including National Training School right here. But it wouldn't have had any preventative experience except what Bob Kennedy had kind of absorbed personally through two or three people on his staff. The preventative experience would have been in Labor and HEW. It was the marriage of all these three things that was important in order to really bring into focus the best talents and brains of all three of these agencies. For example, in Labor, Wirtz started a program of training and hiring ex-convicts, and that's something Justice had no resources to do. I hope that that's still going, I've kind of lost track of it, but it's a very good idea. I used to say better an ex-convict

than a future convict. Let's get them to work.

And as far as the boys are concerned, some very good experiments were tried--one here at the Training School, where they took some of the boys who were willing to volunteer, put them in single cubicles, let them decorate it any way they liked. There was a point system. They had to go to school and learn reading, writing, and arithmetic. They learned from machines, so it didn't take teachers' time. They could take a teacher-given test anytime they wanted. If they passed the test, they got a certain number of points which they could spend, either to watch television, play billiards, or just goof-off and lie on their bed. Then [with] enough points [they got] maybe a free day in town, unsupervised, all of which was to simulate as far as possible the influences, pressures, motivations in the outside world. It was run by a very fine fellow. I forget his name, Cohen, I think, who, I think, really was pioneering in a field that deserves a lot more attention in the penal institutions around the country. Instead of jumbling everybody together where your personality is kind of dissipated and frustrated and restrained, [this approach was] giving each guy a chance to grow and develop as fast as he can.

Well, all of this kind of thing was funded with monies encouraged by the Delinquency Committee, but actually provided by the member agencies, HEW and Labor. But I think that we gave some impetus by going under the title of President's Committee on Juvenile Delinquency, and saying this looks good, and calling up

maybe the head of the Manpower Division in Labor, and saying, "Have you seen it? Have you tried it? Would you like to come with me?" And by encouraging the people in the field to keep doing what they're doing. Our presence seemed less bureaucratic to them than, say, the visitation of a civil servant that they'd seen many times before and had never been able to convince. We could come in with a presidential imprimatur and give them a little more zip.

Still, it was basically an untenable position for me, because, as Wirtz said, I couldn't coordinate these agencies. How could I, sitting at one desk, handle one thousand programs and say you should be doing this and not that? Clearly impossible.

So I evolved a mission which was really to dramatize and to bring out in some public fashion, through speeches, appearances, reports, and so forth, what seemed to be working well, whether HEW was doing it, or Labor was doing it, or some state was doing it, or some city, or some cop. You never know where some really imaginative idea is going to flourish, and if it's allowed to wither before it's noticed, that's a great loss to the whole country. I fancied that my job was really to disseminate the good news, the good ideas, wherever and however I could. We published various booklets and reports, which were available. The Printing Office put them out, and penal institutions, juvenile courts, judges, cops, priests could send for it, at a buck a piece, and really read something informative, and perhaps something they could carry on themselves. That, I think, was the useful sort of publicist function of that

office.

F: You never got an independent budget, really?

S: No.

F: You were always taking parcels from here and there?

S: I guess I was paid by Justice, but I was the only person who was--maybe me and one secretary. I ended up, you know, with a staff of about three or four people. So I guess a couple of us were paid by Justice, and the others by the other agencies in a pool. I had to go before Congressman Rooney and testify. I'll never forget; he looked at me with his little blue eyes and said, "What do you do?" And I thought, "What the devil do I do?"

F: Sorry you asked that question?

S: Yes. So it really took me a while to kind of unravel the things without making it appear that the agencies were not as uncommunicative as they really were. It was a year after that, I think. You see, we were asked to prepare a report, and we got some money to hire a fellow, Bob Johnson, who did a very good report on the efficacy of these programs, the grant programs. No one had ever reported back saying really what works. I had to go out and kind of find out on my own. And so it seemed to me if we were going to go to Congress for more money, we were going to have to tell them more about whether these things were working and get the feedback. So this fellow [Bob Johnson] wrote this kind of report; we edited it; and it was really a report on the whole program. I have a copy of it. It was full

of criticism as well as hope, and I gave it to Nick [Katzenbach].

It was just at that time, around March of 1966, that the President called me up in New York, where I was attending a Columbia Law School Board of Visitors seminar, and asked me to serve as chief of protocol. Lloyd Hand had just resigned to run for lieutenant governor of California. Luckily, we had the report already in the works. For about the first three weeks in Protocol, my former assistant, Diane Fisher in Justice, would come over at various appointed times and go over the report with me, because it hadn't yet been handed in.

F: You didn't have time to phase out your own activities? You just switched immediately?

S: Switched immediately. Luckily, they were pretty well phased. I imagine that if I hadn't gone into Protocol, I wouldn't have stayed on a great deal longer. I'd have gone back into law or something like that, because it was clear that there wasn't much more that I could do in that job.

Nick would ask me, "What's the job?" And I was really about to tell him, "It's nothing, except to find out for you what other people are doing and try to encourage them to do more of what we think works. If that's a job, it's a job. But if you really had the right kind of communication with your colleagues in the Cabinet, you wouldn't need a guy to do that for you."

F: Do you ever get any idea that the White House had some interest in what you were doing, or do you think it got that far? Were you just kind of floating along?

S: I was totally wrapped up and excited by what I was doing, and

enjoying it tremendously. I don't remember any particular presidential notice or favor during that period. Perhaps we went to a few social things, and undoubtedly the President was cordial and kind of knew what I was doing. He used to say "How are the delinquents?" and that kind of thing.

F: You never presented anything straightforwardly for him to digest for a law and order talk or anything of that nature?

S: No, seems to me that I worked on portions of the State of the Union or a crime talk from time to time. And, remember, it was during that period he created his Commission on Law Enforcement and the Administration of Justice, with Mayor Lindsay coming in, Kingman Brewster, Whitney Young, fellows like that, and I helped staff that. I helped prepare the delinquency input for that report. So, in that way, I was working for him, because that was his report. It was a good report. If people had read it and done something about it, they might not have had to create another commission, the Kerner Commission, and get still another report out on riots, because much of the same material and information was there.

F: It just wasn't crucial enough to pay any attention to yet?

S: That's the thing. Yes. But it convinced me, when the Riot Commission was established, I thought, "Well, this is really it." You could put the two reports side by side, and all the Riot Commission had was more horror stories about the life and times of the Negro race in the big city; but its recommendations and

sensitivities were really all the same. They were the same kind of people, decent, God-fearing Americans trying to figure out how to sort out these problems and handle some of them before they blew. Both reports reflect that, [with] greater emphasis in the first report on the problems of law enforcement; and yet that's really what the people were voting on in 1968: law enforcement.

F: Did you get the feeling that you could cut a juvenile delinquency rate, given time and money?

S: Sure.

F: That it wasn't just an overwhelming problem?

S: Yes, I think so, because I think there was a prognosis that something like five or six to eight out of every [ten boys] would appear before a juvenile judge before he's seventeen in certain cities, and that's very high. This means that it may just be a warning, [or that] he may have just been picked up by mistake, but the repeat offenses are the ones that get worse and worse. This presupposes that you know who did it the first time, whether you locked him up or not. If you didn't lock him up, that's due to a lot of reasons and discretion on the part of the judge that perhaps he's better off back home having a probate guy or a social worker show up now and then than he is in the institution. That may be so, or he may be better in the institution. In either case, society has some kind of knowledge of him, notice of him, and [is] in a position to do something about him.

F: He is identified.

S: Yes. And on the preventive side, working in the community to develop a greater sense of hope and decency and dignity in young people is not an impossibility. The walk-in, storefront counseling centers, the roving leader, the neighborhood recreation, the opportunity to belong to a group that's doing something and happens to be something useful instead of something destructive, all of these are alternatives to the other life that the kid has, including drugs and that route.

Or you have him in the institution. You've got an even firmer grip on him, although a much more artificial environment which you have to try to make as natural as possible and as encouraging as possible. That is what this Training School program was designed to do, and it costs money. Obviously it costs more to put a guy in his own single cubicle, than it does to put him in a bunk that is touching bunks to the right and to the left all the way from wall to wall. That costs more. It costs more to have them really attend classes everyday. I mean geared to his own level. In some of these institutions,they'll put kids of all ages in one class, and naturally the older ones fall asleep while the younger ones are learning the verb. So you need more teachers, more counselors, coaches. There's a lot that could be done with money, I think, to reduce the relative rate of delinquency, and the absolute rate.

It's no good to simply hold the relative rate the same. Many people take comfort from that. I don't think that's good enough,

because it means more delinquency per square foot of unchanging geography and, therefore, more and more fear of people to walk that particular street, if the absolute rate goes up. As our population increases, we're going to have to find really innovative ways to cut, dramatically cut, that kind of delinquency which injures the fabric of society by attacks on persons and property.

F: Now to a certain extent we move on crime out of fearfulness or protective instinct. Did you have any success in selling this to the congressmen on an economic basis--that even though it is very costly either to prevent or rehabilitate this man, it is cheaper than the crime? Will they buy that or are they ready for it yet?

S: I think they're ready for it, if you get some fellow that can lay it out for them. We haven't been asked by this administration for this kind of an investment. I thought all during the campaign of 1968, with the emphasis on law enforcement . . . In my own campaign, for example, there was a radio tape: you heard little steps down the street and then a scream, and then it said, "Johnson, Humphrey, James Symington. You want more of the same? Then vote for these fellows. Otherwise--"

And I thought, well, if you really want to do something about law enforcement, rather than just invest in a bigger gun to fire at the first head that appears over the parapet or stronger gates on the prisons, remember that most guys we take into these

prisons, we let out eventually. What kind of guys are they when they get out? Doesn't this bring to mind the need for investment in the guy while we've got him, in addition to investment in his community before we have to take him? And that costs money. So I try to turn the argument every single time, and say what are you willing to spend, what are you willing to do, and how much are you willing to pay for?

You run into the blindness of people who say, "We don't want to coddle these guys." But coddling is hardly what you do to a child when you send him to school, is it? That's not coddling. Why should you treat him differently as a teenager? You're still trying to train the guy, motivate the guy; that's not coddling. In fact, I went into one juvenile home, and they had these kids watching television. And they said, "See, we let them watch television." And I said, "That is coddling them." These guys ought to be lectured, and trained, and learning, perhaps regular sport opportunities where they can test their mettle, but not sitting around and watching television, for crying out loud. This was right here, I think, at the receiving home.

F: You visited various delinquents, groups of delinquents?

S: Yes.

F: Did you get any feeling that they were inspirited by the fact that something was at least attempted to be done, or were they not?

S: Yes. Definitely. The ones that were in a creative environment while at the institution were in much better shape than the others.

F: What became of your committee after you left?

S: Well, I would say like an old soldier, it faded away. I left [and] was not replaced. They decided to take no decision on that until after the report of the President's Commission on Law Enforcement, which would have a delinquency section. The section on delinquency didn't really make any comments on the bureaucratic arrangements within the federal government, so the question was still left open, and this was in 1966. And then I went into Protocol.

My staff was notified of the determination, and it ended. It just plain ended. As far as I know, the executive order is still on the books. That's a fascinating subject: how many executive orders are on the books that are not being observed anymore and what is the fate of an executive order once the movants [sic] disappear from the scene?

F: I suspect most of them do not get rescinded?

S: No, there was one little fellow that had been in Justice--I forget his name, but he lives in Washington--and he used to come to me, he used to try to see anybody he could find in Justice, and he was a madman on the subject, because he had really studied it. He had huge lists of executive orders that were rescinded by inaction, but not officially, and [he] wondered if there shouldn't be some kind of up-to-date schedule of these orders and cross-references and that kind of thing. Why he came to me, I'll never know, but it seemed to me that I was always drawing these guys. I was very sympathetic, and I tried to get him in to see Nick or somebody like

that; but I couldn't. It's an interesting subject. But that was that.

Now I want to slip along in a minute because I don't want to miss the whole caucus. Protocol is another subject.

F: Has your caucus begun?

S: Yes, it's started.

F: Would you rather I come back?

S: I think so. Yes, I think so.

F: All right, let's do that.

[End of Tape 1 of 1 and Interview II]

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