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HARRY MCPHERSON ORAL HISTORY INTERVIEW III

PREFERRED CITATION

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The following is the text of a letter written by Harry McPherson in 1979, authorizing the LBJ Library Director to make his oral history interview available to researchers:

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May 22, 1979

Mr. Harry J. Middleton
Executive Director
The Lyndon Baines Johnson
Foundation
2313 Red River
Austin, Texas 78705

Dear Harry:

For some reason I can't remember what limitation I put on my oral history. I think it was 10 years, which would make it about due for expiration. In any case,there seems to be no good reason for further restricting access to the history. So you may take this letter as authorization to make it available to interested persons.

I hope all goes well with you. What's the story on our LBJ debates?

Best,

Signed: Harry

Harry McPherson

GENERAL SERVICES ADMINISTRATION

NATIONAL ARCHIVES AND RECORDS SERVICE

Gift of Personal Statement

By Harry McPherson

to the

Lyndon Baines Johnson Library

In accordance with Sec. 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, Harry McPherson, hereinafter referred to as the donor, hereby give, donate, and convey to the United States of America for eventual deposit in the proposed Lyndon Baines Johnson Library, and for administration therein by the authorities thereof, a tape and 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.

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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 by Harry McPherson on October 28, 1970

Accepted by Harry J. Middleton for the Archivist of the United States on March 3, 1975

Original Deed of Gift on File at the Lyndon B. Johnson Library, 2313 Red River, Austin, TX 78705

ACCESSION NUMBER 74-210

BIOGRAPHIC INFORMATION: HARRY MCPHERSON

Lawyer; b. Tyler, Tex., Aug. 22, 1929; B.A., U. South, 1949; D.C.I. (hon), 1965; student Columbia, 1949-50; LL.B., U. Tex., 1956; admitted to Texas bar, 1955; asst. gen. counsel Democratic policy com., U.S. Senate, 1956-59; asso. counsel, 1959-61; gen. counsel, 1961-63; dep. under sec. internat. affairs Dept. Army, 1963-64; asst. sec. state ednl. and cultural affairs, 1964-65; spl. asst. and counsel to Pres. Johnson, 1965-66; spl. counsel to Pres. Johnson, 1966-69; private practice law, Washington, 1969-.

INTERVIEW III

DATE: January 16, 1969

INTERVIEWEE: HARRY McPHERSON

INTERVIEWER: T. H. BAKER

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

Tape 1 of 1

B: This is a continuation [third session, fourth tape] of the interview with Harry McPherson.

Sir, we were talking last time about the operation of the White House staff, which brings up Mr. Moyers' place in that, which I think you outlined pretty clearly last time, but there has been a good deal of speculation about the exact reasons for Mr. Moyers' departure from the White House staff: why he left; whether it was of his volition or the President's or some combination thereof; and whether or not this left any ill feeling on either side.

M: I think Bill and Dick Goodwin had both been very troubled by the President for some time, troubled about the war, troubled about his moods.

B: His moods?

M: His moods; that is, they felt that he swung from high to low--I suppose an analyst would say in some manic depressive way--and they had been disturbed about this. But Moyers had hung on. After Goodwin left, he [Moyers] was less and less successful as Presidential Press Secretary, I think in part because Bill had adopted a method of operation that included an awful lot of backgrounding on what the President was really doing, and most of it was intended to push the President--to show the President as a liberal and a bit to push the President as well. It was a way of effecting policy by going through the press.

As the war grew and dissent grew, this became more and more difficult for Bill, I believe. And in retrospect it seems to me that he would have been better off and the President would have been better off had he chosen the course that George Christian subsequently chose, which was to be absolutely straight, cool, dispassionate, and not to background on what the President was really deciding and so

on. I think that's the view of most of the members of the regular White House press. There were some who were particularly close to Bill--Hugh Sidey, Pat Anderson, some of the younger reporters--who enjoyed the intimacy with policy that they gained through Bill, but others, I think, would have preferred a slightly cooler approach.

In any event strains began to grow between Bill and the President, and the death, the suicide, of Bill's brother imposed some large financial obligations on Bill and also shook him very deeply. Bill is, I think I said before, a brilliant person. Really he's a brilliant man, and has tremendous energy, capacity for work. But he lives and works on nerves a great deal as well, as many brilliant people do. And he was getting, I think, fairly near a snapping point. He had trouble in his family--marital discord, needs for money--and a declining relationship with the President.

Some men have had a relationship with the President, quite a number of men I believe, that was extremely close, extremely intense, intimate, in which they really began to operate on a very high frequency along with him; and this can be very heady. And the President generally responds by building them up to the skies with everyone and making major figures out of them. When they get off that frequency, there are tremendous--as Martin Luther King would say--jangling discords. There's a tremendous fall from that intense relationship.

B: Are you saying that Mr. Johnson doesn't have any in-between?

M: No, I'm not saying that. I was saying that some people have that relationship with him. I realized, for example, in my personal relationship with him about three years ago that I was in danger just like everyone around him of capitulating to what you might call the Valenti syndrome, which was to judge myself as a person by his judgment, in accordance with his judgment of me. When I was in favor, I was on top of the world; when I was out of favor, I was in the dumps. And that struck me as ridiculous. I made a number of efforts to pull back, some of which have been pretty obvious, from a relationship, an intense relationship, with him. It has saved my sanity and judgment so far as it has been [saved], and made me a good deal more self-confident and steady in my relationship with him. It has meant that I have not been as continually intimate with him as Moyers was, or as Valenti was. I probably have the easiest relationship with him of anyone on his staff at this point and more likely to spend an hour and a half on the telephone with him shooting the

bull and to some degree arguing with him. [I] feel easier about arguing with him and probably do a lot more arguing with him than anybody. I did more than Moyers did for that matter when he was here.

B: And Mr. Johnson accepts this?

M: Oh, yes, he gets sometimes furious with it. If you come back the third time after he has said no twice, it really makes him boil. Usually, however, you begin to have an impact. I say, "usually," if you're right you do; if you're wrong he properly doesn't listen to you.

But at any rate, Bill left partly as a way of just breaking the relationship and partly as a way of making a lot of money that he needed for his family.

B: Did this leave behind any bitterness?

M: Yes.

B: Was it mutual on the part of both Mr. Moyers and Mr. Johnson?

M: I think Bill was elated to get out, but within about a month or six weeks he was quite candid in saying that he felt deflated; he felt out of touch. He thought he had left too soon; he said that on several occasions in the next few months; "I left too soon, left at the wrong time."

There was a time when he thought he might go back to the Peace Corps as head of it, but after a while that got to be not enough. And he wanted to become Under Secretary of State very badly and he had his strong supporters for that role--[Arthur] Goldberg and [Robert] McNamara were two of them. But the President wouldn't listen to that.

B: By "left too early," did Moyers mean that he thought he could have influenced policy more had he stayed around?

M: No, he felt deprived of power. I think that's what he was saying. He felt deprived of relevance. Very much like the problem that Valenti described, perhaps I've already mentioned that in an earlier tape, of "last year at this time I was helping to do certain--"

B: No, you haven't mentioned that episode.

M: He [Valenti] said something to me the other day: "Last year

at this time I was helping the President decide whether to make a major international trip and whom to see. This week I spent an entire day trying to get [the motion picture] 'The Sound of Music' into Kenya." He was telling me what I would experience in law practice: the tremendous fall, drop, in relevance, in breadth of concern, that one experiences in returning to private life.

B: Did Mr. Moyers make any overt attempts to get back into government service in some way?

M: No, he did not as far as I know. He wanted very much to restore his relationship with him. The President was pretty sore and I believe thought that Bill would end up in the Bobby Kennedy camp. Indeed I think Bill has been in several camps in New York--all over the lot--which is probably what any highly intelligent, famous, and ambitious young man of thirty-four years of age would do.

I have a letter which, just for the record and since this is going to be released down the line, I'll read. I just received it a minute ago from Bill.

"Dear Harry:

It hardly seems possible that in a week the Johnson years will be over. I cannot help but think as the end draws near that he was in office at what must have been the most turbulent conjunction of elemental forces since the collisions of the 1850's.

How do you judge a President's performance when you cannot begin to understand the currents of change and upheaval that engulfed his era? He tried to act as he thought the crises demanded, at a time when no one really knew what the crises were. Perhaps in time it will be said that a lesser, simpler man might have been crushed in the awful sweep of things we have experienced in the last five years.

"Ah, well, none of us really know what we think. His would have been perplexing years even in a halcyon era, for as Creon said in _Oedipus_, 'Natures such as this chiefly torment themselves.' I will always remember him with a curious admixture of affection and awe, concern and chagrin, respect and remorse. No man ever did more for me and for all the troubles between us, he was the most fascinating man I ever met."

Then there's more about this, but the rest of it is about me and my relationship to Johnson.

B: Is the rest of it relevant to the record?

M: Oh, it's Moyers' judgment of me--I don't know whether that's relevant to the record. You know, it's a very generous statement. Anyway--

B: This may be impertinent, but this is a historical record. Would you mind if I read the rest of it into it or would you--?

M: No, I'll read it.

"What I really wrote to say, however, was simply a note of gratitude for what you have meant to him and to me. Your role as the steady hand on an erratic wheel has never been fully explained or understood. Perhaps it never will be except to a few of us. If you had only been a former preacher and a few years younger with a calculating penchant for intrigue, you might have gained the notoriety which your personal talents deserve, but then you would not have been Harry McPherson and you would not have lasted as long or been as affective as you have. You were always distinguished in my eyes and envied by me for that special ethic of service which drives you on and which sets you off from so many of us.

I wish we had had more time together, but even under the circumstances of stress and strain, you were the decent, thoughtful, understanding and inspired colleague and friend I needed, and I will always be grateful for the privilege of having worked with you. Our paths will cross often, I hope.

Sincerely, Bill"

B: Those are kind statements.

One suspects that after Moyers' departure, there might have been a circumstance, well, for one, of some bitterness against the people who were identified as Moyers' men; and two, of a kind of jockeying for Moyers' position or status as kind of number-one boy.

M: Yes.

B: Anything like that occur?

M: In modified forms. Bill had several people who worked for him, like Hays Redmond, an extremely intelligent, able person; he had Hal Pacius; and he had a couple of secretaries who were very intelligent, liberal persons and who didn't think much of the President, who were very high on the Kennedy wing of the Democratic Party. They were chiefly high on Bill, and they performed what I believe is a major disservice for him, and I've told Bill this after he left. They made it appear that all that was good, all that happened, that Bill was a good angel; that Lyndon Johnson was really a kind of an evil old man, who was inclined always to do the wrong thing. And that if it weren't for Bill, he would. And that Bill persuaded him to try to get negotiations with the North Vietnamese, to be good to the Negroes, and so on. It was a lot of crap. Bill was certainly a force for good, but there were other forces for good, the largest of which was Lyndon Johnson. And Bill would admit that himself. But they did an awful lot of talking to members of the press about what Bill was achieving.

B: That was what I was getting ready to ask: if that was possibly the source of leaks to the press?

M: Oh, no question about it. And much of the Moyers' image was created by them.

B: To clarify these pronouns we're using, the references are to the secretaries you mentioned?

M: I'm talking about the secretaries and Pacius and Hays Redmond.

B: And them too?

M: Yes, all of them. That's the answer to the first question. As to the second, before Bill left, a year before he left, Joe Califano came in and Califano began to regularize the development of the legislative program in a way that it had not been before. Bill and I think even before Bill, Ted Sorensen had instituted the task force operation; Califano made it even more regular. Califano was a better manager than Bill; a very tough guy in a lot of discreet dealings with labor and management on the part of the President, for the President. And he had become the leading fellow in the domestic scene--the number-one domestic man--even before Bill left, certainly in the last two or three months when Bill had very little contact with the President; they were on the outs. But before that, Joe had just begun to take

responsibilities because they were about him. And he has a good instinct for power. He's not afraid to use it and not afraid or concerned about working twenty-hour days and inhaling other secretaries and staff people. So he was pretty clearly on his way to being the primary domestic fellow early.

B: Did Mr. Johnson take any retribution against the Moyers' associates?

M: Oh, they all started--no, he appointed Hal Pacius to a good job in the Transportation Department and Hal, from time to time, came back to do advance work for the President; that is, to go out before trips and help. He has remained a friend. Hays Redmond had a heart attack and after he recovered, he was looking for another job and he became the Special Assistant to Mr. Land of the Polaroid Land Camera Company.

As to the other people, the secretaries, they did find their way to other employment. I wouldn't say--this is, you know, the curious thing about Johnson. I don't believe he has ever fired anybody. He has left people with--as somebody once put it, in a situation where the telephone never rings and paper never comes across the desk. And most men of any self respect get out in that situation. Some hang on for a long time. But I don't think he has ever fired anybody. It's curious.

B: To get into the various areas that your activities concentrated on principally, am I correct to say that one of the more important of your functions is in the speech writing area?

M: Yes.

B: Why don't you describe your responsibilities in this area?

M: All right. Let's just describe them as they have been in the last two years. They grew. I did some writing while Goodwin was doing some writing, and Moyers. After they left, I became the writer of the principal speeches.

In the last two years, I've had an editorial job on almost everything the President has said, all the way from the tiniest remarks in the Cabinet Room to a group of visiting firemen, to fairly major speeches as written by other people. Some times this is a matter of fifteen minutes of fooling around with somebody else's language and

putting it into Johnsonian language as much as possible--cutting out some stuff. Some times it's a matter of an entire rewrite, because the thing just isn't good enough. At our maximum, we had about ten writers and all their stuff came through me and I'd edit it and send it on to the President.

I've done almost all the major speeches the President has made; I wrote the--I was in charge of the writing of it, is really the best way to put it--the speech he made on March 31st [1968] when he withdrew from the Presidency, all except the part in which he literally withdrew. The speech I wrote, and it was the most extraordinary operation I ever went through, ended with a reprise on Viet Nam and what it had meant and so on. And that was the end of the speech as far as I knew until the very day of the speech, and I heard that others were working on another ending.

B: You didn't know it was contemplated until--?

M: Not surely. I had a very strong instinct--feeling--that it was coming, but I wouldn't have bet on it. I wrote the October 31st [1968] speech in which he stopped all the bombing; I wrote the State of the Union night before last [January 14, 1969]. I wrote a pretty good State of the Union speech which got murdered last year--the 1968 State of the Union speech, which was the worst experience I've ever been through, just as the March 31st was the best.

B: Why was it such a bad experience?

M: Horrible. Every state of the Union speech has been a trauma for President Johnson. He gets into an incredible mood, horrible mood, and things start flying out. Other people get brought in, everybody but the cook gets brought in to make it more personal or human or whatever. I gave up in the last two days. I just couldn't bear it any more. I fought some a little the last couple of days, but not much, as things were further added to it. I was trying to make it not very programmatic and mostly philosophical. The country was torn up with turbulence. There was a lot of discontent about Viet Nam. Everything was wrong, you know, and I wanted to write a speech that addressed itself to that and did it in a very tough way; in a way that would be very candid and would not say something like "We're a ship--". What was it that he finally said, "When a ship plows through the waters, it makes waves" in effect, you know. "That's what we're doing." It's a lot of crap. I mean it's true, but there's a lot more that's true, too. It was a dangerous

metaphor, one that he insisted on, once he heard about it. And the philosophy was like a river and the programs that were sprinkled through it were like logs in the river, and they were being moved by the philosophy down the river; but the river level kept falling. As we would cut the speech to make it shorter and more succinct, the philosophy would get cut inevitably and you're left with logs. Pretty soon you've got a dry river bed and a lot of logs stuck in the mud and not going anywhere. It was a bum speech. I thought it was a disaster and I came the nearest to having an ulcer, I think, that I've ever had over any speech.

B: You made a decision like that yourself as to whether a major speech, like a State of the Union, will emphasize philosophy as opposed to programs?

M: I daresay--I mean, it's fair to say that no decision I make sticks unless the President's willing to along with it. This year I had an idea about how the [State of the Union] speech ought to be on December 16--I was just looking through some memos--and wrote the President and told him I thought that was what it should be, and he said he felt that was fine. And the speech as delivered, or at least as put out to the press--the President added here and there to the speech as he made it--but as it was prepared didn't vary more than a hundred words, I guess, from the first draft I wrote. There was a lot cut out, as we had to save words, but it was just a skinned-down, slightly condensed version of the first draft I wrote.

B: A major speech like that--

M: Which is quite unusual for the State of the Union because, as I said, the year before it had been sent to God knows how many people.

B: That's what I was going to ask. A major speech like that does usually involve some sort of collegiate process, doesn't it?

M: Yes. It does. The major thing it involves is a very close working relationship with Joe Califano and his operation, because he has been producing the legislative program for the President. That's what gives me the "logs," you know, the new material for the speech. The shape of the speech, the philosophy of it and so on is the writer's--mine. The things that make the news, the important things that make the headlines--. "The President proposes so-and-so" that's Califano's legislative operation. And needless to say, all

of it gets changed and turned around by the President's own desires.

B: How about political implications in the sense of partisan politics?

M: Well, that's the judgment of the writer and the President. Now all of this, including this speech in the last few days [the State of the Union speech of January 14, 1969], gets shown to and discussed with people the President trusts, like Clark Clifford; Dean Rusk; Abe Fortas--I don't know if Abe Fortas saw this one, frankly, because of the problems of Supreme Court Justices being too involved in White House matters. Horace Busby did a draft of this speech, none of which we used. It was an entirely philosophical speech and I thought that that would be too weak; the President just couldn't go up there and talk philosophy. He had to go up and have something to tell them, something to offer with substance.

B: How do you put a speech in "Johnsonese?" Is this just a matter of personal empathy between you and the President?

M: What I've tried to do since I've had the speech-writing operation is to simplify speeches substantially and to reduce their rhetoric, not to make such extravagant claims. I thought that one of the things that was most troublesome about the Johnson presidency was that in 1963, 1964, and 1965 his rhetoric outdistanced the facts--that is, if he spoke about the Alliance for Progress it had to be always in passionate terms that seemed to welcome revolution, and at the same time we were dealing on behalf of our businessmen in Latin America; we were dealing with the governments that existed, and here we were up here talking a kind of wild semi-revolutionary liberalism or radicalism. It just seemed a lot of crap to me to do it that way and I think it hurt us.

B: Is this just a rhetorical tendency of Mr. Johnson's to get carried away once he gets started?

M: No, I don't think it is. This is not mostly Johnson. This was Goodwin, and this was Moyers, and this was a lot of--this was the way things were done for a long time. The Democrats came into power in 1961. Kennedy speeches had a lot of this in it and Johnson's did for the first few years. Then they began to get scaled back some, but--

B: But the exuberance was the speech writers?

M: The exuberance was mostly the speech writers. Occasionally the President would say he wanted to say in a crime message, that we were going to abolish crime, and I think it was his [idea] in the poverty message that we were going to eliminate poverty. That's too much. The problem of democratic leaders, little "d" and big "D", is that they must grab the attention of the public; they must convince the public that there is an urgent problem that needs to be solved, and to do that they really have to hit him like the old farmer hits the mule between the eyes to get his attention. And once he has his attention, then they have to come along and say "But all is not lost. We have a solution." That's the format that has always been used. Guys like Eisenhower who philosophized about the way "things are pretty good and we don't really have to get too worked up"--they don't have that problem. Democratic, big "D", Democratic Presidents come along and start stirring up the country with a lot of vigorous rhetoric. Bob Kennedy, you know--for some reason people thought Bob Kennedy was really getting to the facts when he would go down to Southeast Washington and say, "There just aren't enough good houses down here. We can do better!" And everybody would roar with the pause. "Boy, he's really telling it like it is." It was nothing. It was simply the conventional, liberal approach in which you decry and then say we can improve. That has always been our problem.

B: This may be difficult for you to answer, but I think it would probably help future scholars. Would you say that your influence over speeches, this tenor you've been describing, predominates after about, say, early 1966?

M: Yes.

B: Would that be approximately the date?

M: Yes. There are some speeches which I had nothing to do with. One thing I've tried to do since 1966 is to very much scale down and moderate our language on Viet Nam. I was not on the plane going to Chicago the night the President made his "nervous Nellie" speech. I was horrified by that. I wasn't on the plane going down to New Orleans during the [1968 presidential] campaign when he added that nobody knew when any troops were coming back from Viet Nam. This was the one in which he apparently busted Humphrey. Humphrey had just said the troops were coming back. I didn't have anything to do with that speech at the American Legion down in New Orleans.

Here's a memorandum that describes the way I was feeling frequently. This is a memorandum written on May 13, 1966. The President had gone to the [D.C.] Armory the night before to a Democratic Congressional campaign committee fund-raising and made a hell of a stomping speech. Fulbright was at the main head table alongside him, and he kept looking down at Fulbright when he would say, "And we're going to win," and "we're not going to turn tail," and that sort of thing. [He reads:] "I was disturbed by the speech last night in the Armory; I felt it was harsh, uncompromising, and over-militant. It seemed that you were trying to beat Fulbright's ears down before an audience of Democrats, who, I'm told, had earlier applauded him strongly. The speech does not read as bad as it sounded. The combination of tone, emphasis, and frequent glances down at Fulbright made it wrong. There was nothing of Baltimore or subsequent assurances that we wanted to negotiate an honorable way out.

"If the purpose was only to tell Democrats that the policy line is hard, that's one thing; but most of them know it. Those who agree can only holler 'yes' when it's reiterated. Those who disagree feel further estranged by high-powered shouting. Even in the first group, there are those who think Fulbright is a luminary of our party, although wrong on this issue. I talked to a couple of these who were embarrassed to see him gored like that.

"Lastly, there was nothing perceptive or careful or restrained in it. Even a political speech by the President, ought in my judgment, to make some distinctions. I am sure we're not going to fight Uganda if she attacks Rwanda and, quote, "oppresses her freedom." Yet the speech sounded that way. Wherever it touched on foreign policy, it was militant, if not in language then in delivery. Nothing about the U.N.; nothing about food or education or health; nothing about a willingness to talk without conditions. Standing in Viet Nam is the only issue for America.

"Mr. President, I am one who believes we are right to stand in Viet Nam. I abhor the kind of vapid, sophomoric bitching that Fulbright is producing nowadays, but there are questions about Viet Nam and about our appropriate role in the world that are extremely difficult for me to resolve, difficult for anyone, I think, who gives them serious attention. They cannot be shouted out of existence.

"Churchill, rallying Britain in 1940, is not the only posture, a wise and strong leader can assume today,

especially an American leader with half of the world's power at his disposal. The speeches you make, even on the stump, ought to pay some attention to the complexity and diversity of the questions America faces. To stand or not to stand is simple. After that, nothing is. I hope what you say and indeed how you say it will reflect that, for you set the tone of all who follow your banner."

B: What was the reaction to that?

M: Strong, angry.

B: Now what you're saying here is that if you're trying to moderate Viet Nam speeches, you're really also trying to moderate Viet Nam policy.

M: Certainly.

B: That is, you can't separate the words from the policy that easily?

M: Certainly.

B: Now you say in the memorandum that you are a supporter of the stand in Viet Nam--

M: Yes.

B: --but on the other hand, you are also at least trying to be a force for moderation.

M: Right.

B: I'm trying to avoid using phrases like "hawks" and "doves," which is why I'm getting all twisted around here. Is this going on in this period on the White House staff? Are there others beside yourself who are forces for moderation and are they quarreling with more militant advocates for the President's ear or among themselves?

M: There isn't a hell of a lot that involves any other members of the White House staff on Viet Nam except those who work for the National Security establishment. Califano, I believe, has never engaged in any Viet Nam discussions with the President, nor has [Douglass] Cater, nor Marvin Watson, nor Jack Valenti--maybe Jack did, I don't know. I don't know what Bill Moyers did. I frankly do not know what his discussions were with the President, or whether he ever tried to change policy, to intervene as an active

policy-maker. [George] Christian is a moderate on Viet Nam and has been essentially allied with the Clifford forces in the past year.

B: Can you say that you've had any effect?

M: Sure. March 31st [the speech of March 31, 1968] is an effect.

B: Well, if the President's reaction to this memorandum was so angry, you mean that he then would on other occasions be calmer and listen?

M: He'd be more aware of it, of the need to moderate and limit. This is a bind, Harr, to tell the truth, for him. It has been a hell of a bind and I sound awful smug to read you a memorandum like this and sound so wise, but here was a guy who needed to try to rally support, who was conscious throughout that the big problem he had was trying to rally it just so far. It's sort of like a--what he was trying to bring off in the American public is something like a semi-satisfactory sexual experience. It's like necking, a hard neck, you know, but no going to bed. He knew that if he really did stomp them up and say, "Kill the little slanty-eyed bastards over there, let's go get them," that the demand for really winning the war would be overpowering, and the only way to really win the war was to invade North Viet Nam. There wasn't any other way. We thought we could do it by bombing them for a time, but I think he kind of gave up on that early although he never said so. I never heard him say so. I don't believe he changed his belief that he could do it bombing. But the only way to do it was to invade. But if you did invade, you'd risk an awful big war with China and Russia, so you couldn't. You had to try to get the American people behind a half-war. It's terribly hard to do, and here I sit back with my kibitzing and bitching about the way he delivered that speech.

I think it did hurt him terribly. I mean, I think his impatience with this situation drove him to say things like "nervous Nellies." I think that single phrase probably hurt him as badly as anything in his whole Presidency, because it was about that time that large numbers of people, suburban families with college-age kids and that sort of thing were getting to be troubled about the war. "What the hell is this all about? Why are we fighting it? And if we are to fight it, why don't we win it? Let's get it over with. Let's don't mess around with a fifth-rate power." It's very unsettling to do this sort of thing. And the war is

changing from a war fought by professionals, and Jack Kennedy made us think it was all to be done by people with green berets on, and it was really going to be easy because we were smarter and faster and had more fire-power and all that than they did. But here it's taking hundreds of thousands of draftees over there. And in the midst of all this with no full explanation having been given and no preparation--thorough preparation--having been given, primarily, I think, because he didn't want to excite the country, over-excite the country. And also, I imagine, because he wanted to get his domestic program through and not to make people feel that he was going to run a major land war in Asia. He comes along and calls them "nervous Nellies." It was terrible. This was just at this period and it was terribly disturbing, and yet I can appreciate his bind. What the hell do you say? How do you half-lead a country in a war?

B: The frustrations inherent in the situation must be enormous for all of you.

M: Absolutely.

B: Did he ever get angry at the other extreme? He must have been getting an awful lot of hawkish advice. Did he sometimes get angry at them too?

M: I don't know of any really hawkish advice. I heard Walt [Rostow] one time talk about some escalation and the President cut it--didn't cut it off exactly, but he made it clear that he didn't want to talk any more about that. I believe that most of the hawkish advice he got was probably from members of Congress. I don't believe [Gen Earle] Buz Wheeler ever came over here with any really major escalation talk. I'm not sure about that. As a matter of fact, he may have talked once or twice about what would be necessary to invade if we chose to do that.

B: Did you ever try to serve as a kind of conduit between Mr. Johnson and his outstanding critics in Congress--men like Morse and Fulbright and Mansfield?

M: I tried a little with Fulbright, but it didn't work much. I had known Fulbright, and had been something of a friend of his, but I think the last time I ever had a foreign policy discussion with Fulbright was about a month after the Dominican Republican invasion. He came here one afternoon and he and the President talked about it while the President was sculpted by Jimilu Mason. And as we walked out, he

[President Johnson] said, "Fulbright talked to me about the Ambassador, Tap Bennett, who had been down there, and said he thought he was a fool and a boob." He [Bennett] had given the President terrible advice and that it had provoked the President into going into the war.

But I never was much good at that. I had some talks some evenings with Frank Church. He was just deeply, deeply disturbed about the war. I never talked to Morse about it. There were a number of "doves" in Congress that I met from time to time and who expressed themselves--their dismay over it. Generally I believe that I told them what was certainly the truth: that the President was trying not to get involved in a major war, he was trying to limit it.

B: You visited Viet Nam yourself in the spring of 1967, didn't you?

M: Yes. I did. I figured I was going to be doing some writing about it, and I felt abstract and removed. I'd go down and hear a lecture from Walt [Rostow], which was almost invariably optimistic.

(There has been a break for a telephone call.)

Actually I said my information was abstract and I said that Walt's briefings with me were invariably optimistic, and I just felt that I wasn't--I didn't know anything about Viet Nam and I wanted to go over and see it. So I did go. I went with Bill Jorden, Walt's assistant, who is now the press spokesman for the American team in Paris, for [Averell] Harriman and [Cyrus] Vance. Bill had been in Viet Nam and Asia a good deal. We went over in mid-May of 1967, stayed with Bob Komer, spent a good deal of time with Thieu and Ky, and traveled throughout the country. We were in every corps [area]. We got over to the Cambodian border, down into the Delta, out into the Navy units' operations, up with the Marines in I Corps, and with the Montagnard operation in the mountains. It was a tremendous education, and one of those typically expensive military operations where you have a helicopter at your disposal most of the time. I spent two weeks there.

Throughout my time here since I inherited the job from Lee White, I've been a conduit for the Jewish community in the United States. Why, I don't know. I knew a lot of its leading members before I became Special Counsel and it seemed natural for me to do it. I got to know and to become an intimate friend of the Israeli Minister here [Ephraim]

Evron, who developed one of the most unusual friendships with an American President, I suspect, that any Minister has ever developed. I told the President before I left that I would like to come back by way of Israel and he said that was all right. When I got to Viet Nam, the Israeli thing started to heat up; the Egyptians moved into the Sinai with big forces and closed off the Straits of Tiran. And so I assumed that I couldn't go, but I thought I'd take a chance at it, and on a Monday out in Saigon I sent a cable to the President that was timed to arrive just before his Tuesday luncheon over here with Rusk and McNamara, and asked him if I could go ahead and stop for a few days as a kind of hand-holding operation, to show the Israelis that we were friends and to take any messages back to him that they wanted. And back came the message saying okay.

So I went from Saigon to Hong Kong to get an Air France plane and flew across Southern Asia and into Tel Aviv, landing at three o'clock on the morning of June 5, 1967, and was driven to the American Ambassador's home in a very quiet country, at four in the morning, went to sleep looking out over the azure Mediterranean and was awakened at eight with the sound of an air raid siren and told that the war was on.

B: You stayed there for a few days?

M: Stayed there for four days, yes, until the war was essentially over.

B: I was going to say, four days would have been approximately two-thirds of the war, as I recall. Were you in contact with the President during those four days?

M: We sent a wire the first day just to say that I was there and safe. I kept that very much to myself when I got back, as far as the press was concerned, because the Arabs were claiming that we had had something to do with the starting of the war, and even though I would hardly have been the man to bring the "go" signal for the Israelis, it would have been a nice piece of Arab propaganda.

B: What did you do during that four days?

M: Had a glorious time. The Israelis assigned a man, a couple of men, to be with me and I went down through the N"ohegev [desert] and went to the Gaza Strip while the fighting was still going on in the Gaza. I didn't see any of it, it was a couple of miles away; I only saw a great tower of smoke coming out of the city while the fighting was going on for

the city. I went north to the mountains, to Nazareth and the Sea of Galilee, when the Israeli fighters were overhead going into to hit the Syrian Heights, the Golan Heights. Went to Haifa and Caesarea. I went down to the Weizmann Institute one glorious night, a Wednesday night, the eighth--it was the night the Israelies took the Wailing Wall. It was with that collection of intellectuals at the Weizmann Institute who were all blind, wild drunk and celebrating and saying that contrary to my beliefs that intellectuals wouldn't care much about taking the Wailing Wall, that they would fight the entire world--us and the Russians and anybody else--to keep it.

B: Did you do any work on the Mid-East problem when you got back?

M: I just sent the President a long memorandum and I met with [Levi] Eshkol and Abba Eban. In a curious way I was the instrument for getting out a piece of information that it was--. The first day, June 5th, I was with Wally [Walworth] Barbour, the American Ambassador. About eleven o'clock we came out from under our air raid shelter at the Embassy and went over to the Israeli Defense Ministry. It had moved from Tel Aviv to Jerusalem out of the line of fire, and we met with Eban and with the Israeli Chief of Military Intelligence, General Yariv. We listened to Eban for half an hour on the rationale for the war, why it was necessary. But they were still saying that they were hit by the Egyptians, were attacked by the Egyptians, and they had counter-attacked. It didn't seem right to me and I kept asking about this. We were sitting in a little bare room, looking out at a walk that led to an underground war room. I kept saying, "Well, where did they hit you?" And he said, "Oh, there were big movements down in the Sinai--in the Negev." I said, "You mean they were in to Israel?"

"Big artillery barages."

I said, "In to Israel? They came in?"

And he said, "It was imminent. It was coming." I said, "But did they cross over? It's vital for the President to know when he responds to this, whether or not he's talking in behalf of a country that--he's going to be with you--but is he going to be talking in behalf of a country that was literally attacked or a country that launched a preventive attack?"

And he said, "They were right there," and at that time

the air raid siren went off again and he kept talking, and he didn't make a move. Nobody made a move to go underground. Several other people, privates and sergeants around there, were sort of looking around for a place to go. And finally Wally Barbour said, as the air raid siren kept going, "Shouldn't we go underground?" And General Yariv looked at his watch and thought for a minute and said, "No, that won't be necessary."

And suddenly, the whole thing just broke open. Of course it wasn't necessary--there weren't any damned Arab airplanes left. This was not a bogie some place. They'd picked up a blip and it was one of their own planes. If the Chief of Military Intelligence at 11:30 in the morning thought there was no reason to go underground without even asking anybody about it. So we went back and sent off a cable and described this unusual scene, and it was the first, I believe, information back to Washington--clear information--that they [Israel] had begun the war.

B: To get back to something related to the speech-writing function in a general sort of way, pretty clearly one of Mr. Johnson's problems has been what the Madison Avenue folks would call "image." He just doesn't come over well, particularly in television. Has there been any attempt among the staff to do something about this?

M: Sure. We've talked about it a zillion ways. I had a conversation with a friend the other day who did a good deal of work for Senator [Edmund] Muskie during the [1968 presidential] campaign. He and some other guys went up to Boston last week and talked about Muskie's political future and how he should put himself into a position so that if lightning strikes he'll be under it. And most of them had a fairly conservative view of what the Senator should do in the next few years, that he should just do his homework and be a good Senator. My friend had a much more aggressive attitude toward it, including some stuff that really amounted to a new Muskie. They were quite resistant to it. He said he realized toward the end of the evening that he really might be talking about a mythical Muskie--a guy who didn't exist, and that you can't change a man unless he is so much nothing himself, that you can just mold him into something of your own choosing, something that's successful. But if a guy is a fairly strong customer and has a vigorous personality of his own, it's just damned hard to change. And Johnson is awfully hard to change. He's twenty years older; he's tougher; he's smarter; and he has more warts and strengths and fissures and out-croppings than any of us

have.

So I was looking through my files the other day and I was surprised and a little bit chagrined at how much of it has to do with P. R.; how much of it had to do with suggesting meetings with various kinds of people and laying on certain kinds of briefings and explaining our policy, getting citizens' groups organized for this or that purpose. We just spent a hell of a lot of time in that.

B: Well, that seems to be the point. It's not so much trying to create a fake Lyndon Johnson on television but to get Lyndon Johnson--

M: That's right. It's the conventional wisdom and in this case it happens to be true, that Lyndon Johnson in private is one of the most effective men in America, probably the most effective man. I don't know of anybody who can really stand up against Lyndon Johnson and I include (Hon) Ken[neth] Galbraith and all kinds of brilliant men, articulate men; nobody has his resources as a debater in private. He is overpowering. He has fifty reasons why he wants to do something and you may have two reasons why you don't, and maybe you knock off ten of his with your two, but he has still got forty left. It is all those words, those verbs you've seen--cajole, persuade, threaten, and all the rest of them--but mostly it is the superior exercise of brain. I really believe it. He is smarter than anybody I ever saw, and it comes through. He is tougher and smarter, more realistic, than anyone.

B: Does he really need the physical presence of the person he's trying to convince?

M: Apparently so. Paul Douglas once said that he never saw Lyndon Johnson win a debate conclusively on the Senate floor, and he never heard him lose one in the cloak room. But if you expand that, I've never seen him lose one in the oval office and I've never seen him win one in a formal speech or even in an extemporaneous speech to a large number of people. Sometimes he cuts loose and he's awfully good; he's very effective.

You may remember a press conference he gave in which he put the mike around his neck and walked around. He was terrific. Freed his hands and he began to talk pretty roughly about some members of Congress, and you suddenly had the feeling "Here's old Lyndon." And you should have seen the telegrams that were on his desk by seven o'clock that

night. They were a foot high from people all over the country. "I'm for you. I wasn't until today. Why don't we see more of that?"

B: Well, that's often given as an example, but we didn't see more of it.

M: That's right.

B: The President of the United States just can't afford to ad lib?

M: Oh, I don't know. You know, I think he was especially good that day because he was in a certain kind of balance within himself. He was at ease with himself. There are times when I frankly would not like to see Lyndon Johnson being Lyndon Johnson. I can imagine him a week later, having had this great success, doing it again, and I can imagine him spending the entire thirty minutes berating the press and the Eastern Establishment and all the rest of it, and all the worms would come out just as all the attractive qualities came out in that particular session.

B: This is the characteristic of "moods" you mentioned earlier?

M: Right.

B: And I assume what Mr. Moyers' letter you read earlier refers to when he mentioned about the "balance wheel?" Do you consciously try to do that, incidentally, to sense the President's moods and adjust him toward balance?

M: It really sounds awfully priggish to say yes, but yes is the answer. You know, inasmuch as we're talking for history here, I might as well be candid with it. Yes, indeed I do.

B: How do you do it--by cajolery, or can you answer how you do it?

M: Either through memoranda or in private conversation, expressing my concern for the results of the policy of the course he's following.

B: Is he aware of his moodiness?

M: Yes. He's very aware of almost everything. Did I tell you about a little vignette that describes something that isn't too well known? One night, we had a late night and I went over to supper with him. And as we finished supper, Mrs.

Johnson came in and he started looking through photographs, himself with various people. And he said, "God, look at that photograph." And it had what I call his John Wayne look--you know, the smile as we look into the Western sunset with Old Paint. It's the inverted "V's" in the brows and the smile on the face: weathered, troubled, but still philosophical, "Uncle Lyndon looks to the West." And he said, "Have you ever seen anything phonier in your life?" And I said, "No, I haven't." He had one of those smiles on, standing next to somebody, and he said, "I didn't want to be there with that guy. I don't care anything about him; I didn't want to be there with the picture, and I knew that would show. So I tried to put on a smile. And every time I try to do that, I look phonier. It all comes through and I can't break it." So he knows that. He's very self-aware.

B: Which means he probably also knows when you're trying to bring him down if he's up or vice versa?

M: Sure. He's the most astute judge of human character I ever saw, and people don't credit him with that kind of astuteness perhaps. But he's extremely good, extremely good as a judge.

B: Is Mrs. Johnson a balance-wheel too?

M: Sure. [Clark] Clifford is a balance-wheel always.

B: Even before he was appointed Secretary of Defense?

M: Always, always.

B: Is Abe Fortas too? Is that possibly one of the functions the old friends serve for him?

M: Fortas is a counsellor. "What do you think, Abe?", but I think Clifford has always been more of "Here's the danger I see with what we're doing right now" sort of man. And, "Here's what I hear from the country, and here's what is my judgment on various things."

Valenti may have tried to be a balance-wheel. I think, I suspect, Valenti did a lot more candid talking than one will ever know. He always came out singing Johnson's praises and one never knew that he might occasionally have spoken candidly to the President about what he considered to be his problems.

B: Is that kind of closeness to the President sometimes

uncomfortable for you? For example, it's fairly common knowledge that the President can turn on these people close to him and chew them out up one side and down the other.

M: Yes. I think that once you've made your decision that you're not going to be inflated or deflated by him; that is, once you've made the decision that you are not going to judge yourself by his judgment of you at a given time, that you are free to deal with him with a good deal more stability and sense than otherwise. He is an extremely powerful person; he is what a psychoanalyst friend of mine calls a "Clean-tube man"--that is, he cleans out his tubes constantly. He blows everything out: good, bad, fears, rages, all of it. And he has got more to blow out than most people do, but he really lets go with it. And if you weather some of the crap that is coming your way, you can have an extremely good conversation at virtually any hour of the day or night with him. A level conversation, one that is true. Sometimes he's quite unattractive, and to people who have a fundamentally aesthetic approach to life in the Kirkegaardian sense, who deal with life on an aesthetic level, this is just too much and they want out. They want away from him. And sometimes I've found him just to be obnoxious as hell. But I come out of this whole experience, thirteen years of knowing him, and four years of being in the White House, loving him. Not so much liking him, although I do like him, but I love him more. You know, he's a deep, big part of my life, and I'm a deep, big part of his. There is a distance between us ultimately, because I have certainly tried to make it so, to keep a distance, so as not to be utterly absorbed and to have my own values and sense of myself guided by him, and I'm sure that he has wanted there to be a distance between us.

B: How long do these moods last?

M: Oh, it's hard to tell. He's a contrary kind of man. Sometimes [phone rings]--there he is, on the phone.

(B: There has been a break in here for a telephone call.)

B: Sir, you've mentioned you served as a conduit to the Jewish community, and you've referred yourself in these interviews as the staff "semi-Semite." What sort of activity does that involve?

M: It has involved over the last three years two things. One, a continuing relationship with B'nai B'rith, the Anti-Defamation League, to some extent the Zionist

organization, and others who want various things: either to see the President about something, to get a special message out, to have the President come speak to them, to express concern over Israel, to express concern over the state of Soviet Jewry, that sort of thing. They have been extremely helpful to us in civil rights fights; they're awfully good on the Hill, the Anti-Defamation League especially. They were very helpful in the Fortas fight; we were unsuccessful but they did as much as they could. They saw a great many Senators; they inspired a lot of telegrams of concern from American Jews.

The other aspect of it has been particularly Israel. I knew Abe Harmon, the Ambassador from Israel, pretty well and I knew, as I mentioned earlier, the Minister of Israel Ephraim Evron, who was known as Eppie Evron.

B: You said that Ambassador Evron had a distinctive relationship with the President?

M: Yes. Eppie Evron is a small, large-eared, thin-nosed, thin Israeli, a Sabra, who was with the Histadrut Israeli labor organizations, member here in the United States for several years back in the 1940's and early 1950's, later Minister to London, and then Minister to the United States. He and I got to know each other over the course of three years and we became extremely close. We had lunch about once every ten days, and he came in some time during that period of ten days for conversations. Our conversations ranged over the full scope of American-Middle East relations. A good deal of it had to do with arms for Israel, the Phantoms, Sky-Hawks earlier. A good deal of it had to do with relations between Israel and the Arab states; he was quite candid about problems in his government, the divisions within the Knesset and the Cabinet. His judgment was superb on the attitudes of American Jews, and he genuinely loved Lyndon Johnson--from afar before he had met him. He just decided that he was the best thing that ever happened to the United States. He felt that he was going to achieve a social revolution in America and as an old socialist of many years standing, Eppie thought that was great, and he thought also that he would do nothing that ever hurt Israel and was the best friend Israel could have.

And I think he felt instinctively what I've always felt, that some place in Lyndon Johnson's blood there are a great many Jewish corpuscles. I think he is part Jewish, seriously. Not merely because of his affection for a great many Jews, but because of the way he behaves. He really

reminds me of a six-foot-three-inch Texas, slightly corny, version of a rabbi or a diamond-merchant on 44th Street. He is just as likely to spill out all his woes, his vanity, his joy, as the most gesticulating Jew. He has the kind of hot nature that one associates with Jews. He is not afraid of making a fool of himself, as Martin Buber describes: the kind of divine foolishness. Buber and Kirkegaard. He will play for enormous stakes and will really cash in his chips, his emotional and political and monetary chips, everything he has got, just as Jews often will. He's a fulsome man. Eppie sensed that, and sensed also that he was a real friend of Jewry. Eppi became a good friend of Arthur Krim's, of Abe Feinberg's, of David Ginsburg, of a number of other very important Jewish figures in the United States, many of whom were quite close to President Johnson.

We became very close friends and he began to tell me, after a year or so, that although they had told him that he could come back for another assignment to Jerusalem, that he had asked to stay during 1968, because he wanted to go out and campaign--he literally wanted to campaign--as Minister of Israel, and he was fantastically effective in the two or three months after the six-day war in mid-1967. The American Jewish community believed that Johnson had done nothing for them; that he was in effect prepared to see Israel suffer terribly. The opposite was the case, but we were in a terrible situation. We couldn't say it. We couldn't say anything about the fact that the Sixth Fleet had been turned East, aimed at the Russian fleet, to head off the Russian fleet before it got to Alexandria. We couldn't say what we had said on the Hot Line about the necessity for Russia to keep its mitts off the Middle East, because of our relations with the Russians and because we were trying to settle the Middle Eastern situation.

I once pleaded with the President to let me authorize Eppie to spill the beans. I saw the memo the other night. It's in the middle of a long memorandum to him about a conversation with Eppie, and it's "no, no, no!" on the sides. Couldn't do it. But Eppie, nevertheless went around to Miami, Los Angeles, everywhere, spoke to large collection of Jews and he would simply say "I can't tell you anything about the facts, but let me tell you, I'm the Minister of Israel. I have the strongest interest in the United States helping Israel and I can tell you that Lyndon Johnson saved Israel." And finally he prevailed upon Eshkol to say that. And Eshkol did say it. And Lyndon Johnson's popularity rating in Israel, as the Jews would say, "Oi vey, if he could be transferred here." The most popular man in Israel

on the popularity polls is Lyndon Johnson. Second is Eshkol. Third is [Moshe] Dayan and it goes on down the line like that. But Johnson is first. Quite a change from that period, that early period, around the six-day war when they really didn't know.

When I was in Israel with the Ambassador the first night and we were in a long meeting with men from the Israeli foreign office in a motel, there was a blackout. We came out of the blacked-out hotel and got into the car in the total darkness the door opened enough for us to be seen coming to the car. As we closed it again, a man leaned into the car and said "Don't believe the Americans. They'll lie to you." That was the first night. Two days later we were driving on the road from the Embassy into Tel Aviv, and a car all smeared with mud--camouflaged--old Packard filled with about ten guys--soldiers, guys going to the front, civilians now mobilized, going to the front--roared by. We had the flag of the United States on the fender. Arms came out with thumbs up as they went by, so we knew that opinion had changed. Much of it because Israel had won virtually.

At any rate, Eppi Evron became an extremely close friend of the President's. The President saw him often, and in Eppie's last two weeks in the United States, he took his family down to the Ranch and spent four or five days. His son Danny worshipped the President and it was a very warm relationship. And Johnson told Eshkol at the meeting in early 1968 at the Ranch, when he told him that he would decide before the year was out about the Phantoms, that "the principal reason why I feel so strongly about helping your country is Eppie Evron." I thought they were fools not to make him Ambassador. But General [Yitzhak] Rabin, who had been the mastermind of the six-day war, wanted some political exposure. He wanted to be something besides a general, so he asked for their number one diplomatic post which was Washington.

B: Why was that decision on the Phantoms delayed?

M: To try to get the Russians to agree with us not to resupply the Middle East. We were trying to get an agreement out of the Russians to cool down the dangers of a revived war. We thought if we didn't send the Phantoms we might get them not to send MIGs and all the rest of it. They continued to send it and to build up the strength of the Egyptian army, air forces, and to make sure that Israel didn't get in the soup, he--I imagine it was delayed for a couple of months, at least, during the campaign, until both candidates were on

record as being for it.

B: You mentioned earlier, in an earlier interview, that Middle East policy is one of the areas in which Congressmen get active, particularly the Jewish ones. Does this involve you too?

M: It did only a few times. Occasionally individuals have called me about it, but in a mass operation it's only once when Mac Bundy and I had a briefing in here, almost all Mac, for Jewish Congressmen, for all of them. This was back in late 1965 or early 1966.

B: Any particular occasion for them?

M: I forget what it was. It was just generally their concern that Israel wasn't being helped enough. I guess at that time we were moving Israel off the aid list and they just were putting in their licks.

B: Was your conduit with the Jewish community run the other way--that is, do you serve to carry Lyndon Johnson's wishes to them, politics for example?

M: Well, we had a big problem one time. The President could never understand why there were so many Jews who were anti-Viet Nam, and he would say--you know, to him this was a small country fighting aggression. And these people had suffered from aggression. They had suffered from the reluctance of major powers to step in and stop aggression early. Couldn't they see that the same thing was going on in Viet Nam? He said, "Dammit, they want me to protect Israel, but they don't want me to do anything in Viet Nam." That's all right to say that to me, but he once said it to the commander of the Jewish war veterans, a man named Tarloff. And Tarloff, sort of an American Legion type, came out and announced to the press that the President couldn't understand how Jews expected him to defend Israel, especially since there was no written commitment to defend Israel, and not to defend South Viet Nam against aggression.

Well, that got translated by a hostile writer, a reporter for the Jewish Telegraph Agency wire service, into a story that said Johnson was in effect threatening that if they didn't support him in Viet Nam, he wouldn't support them in Israel. And it really hit the fan. I got the President of B'nai B'rith, Dr. Wechsler, the executive secretary Rabbi Kaufmann, and Herman Edelsberg, my old friend, who had worked on the Hill for civil rights and was

the international director of B'nai B'rith, to come in and we had a meeting with the President. And the President said "I never said that. I never meant that. I think the United States ought to defend Israel, period, but I still can't see why so-and-so." But he did say, "I hope you'll help me get off this, because I don't want it thought that my support for Israel is conditioned on their support for Viet Nam." They did their side of it. They put out a damned good statement and Max Frankel wrote a fine story in the Times and it blew over after awhile. It was pretty hot for awhile though.

As far as political business goes, there was no need to. The Jews in this country are ninety percent Democratic and the Jewish money essentially goes to the Democratic Party. The great contact with the President on politics and money and that sort of thing is Arthur Krim, who has become a great friend of the President's over the past few years, is a superb gentleman and a very loyal man and a fantastic brain, a really super, super, intelligent person. And Abe Feinberg.

B: During the controversy over the Fortas nomination when it was before the Senate, there were the beginnings of what looked like a pretty nasty anti-Semitic argument and then it seemed to calm down.

M: Well, I think they chased off of that. They were afraid that--there was no question there was a lot of anti-Semitism in the whole struggle. One Southern Senator, whom I shall not name even for this historical record, said to another Southern Senator "You're not going to vote for that Jew to be Chief Justice, are you?" and so on. And he would deny that there was any anti-Semitism in any of it; it was all a great matter of high principle, or the fact that Abe took money for lectures, whatever-- The Supreme Court was for dirty movies. There was a lot of anti-Semitism as well as a lot of anti-Court. And primarily it was political on the part of the Republicans just to save the nomination [of a chief justice] for Nixon. They worked hard though, the Jews did. They put a lot of steam into it but they couldn't bring it off.

B: Incidentally, when the Fortas nomination was discussed here in the White House--I don't know if you were in on it or not--did you anticipate the difficulties that later came about?

M: I don't believe so. I was not in on the decision to

nominate Abe for Chief Justice, but I don't believe it was considered. It was considered that there would be some anti-Fortas votes, but not enough to be--that was a surprise, I believe.

B: You're fairly close to Mr. Fortas, aren't you?

M: Well, close in the sense that I've known him for a long time. I like him. We're friends. We're not intimate friends. I respect him immensely. I don't think his political judgment is very good.

B: In what respect?

M: Oh, it seems to me I'm on opposite sides almost every time when we get down to some purely political decision that the President has to make. "Will he do more harm than good?"--that sort of thing. But on the great issues Abe Fortas is really just tremendous. I think he's a wise man. And also a succinct man. I remember one night at my house for dinner, as they were leaving I had just received the D.C. crime bill on my desk and it was really an anti-crime bill all right. You could arrest a material witness and hold him incommunicado for many hours without arraignment, without anything, without letting him see a lawyer. A lot of people, a lot of astute people--Nick Katzenbach for one--were arguing that the bill should be signed with a signing statement that said "We're not going to use this--all these powers--but in order to meet the city's real fears about crime." And I said to Abe, "Do you know anything about the D. C. crime bill?" "Yes." "Have you been able to form an opinion of it?" "Yes." "What do you think about it?" "It's an obscenity." And I said, "Thank you very much." We never talked about it any further. The President never had to talk to him about it. It was just so noisome to Abe, it was such a clear violation of civil liberties, and it clearly ought to be vetoed. Of course, the President did veto it.

B: Does ethics get involved in this--a Supreme Court Justice reviewing a bill which if passed would almost certainly produce cases before the Supreme Court?

M: I'm sure that you couldn't find a law professor in the United States who would recommend that kind of thing, but I'm sure that you couldn't find a Justice of the Supreme Court, not many anyway, or a President who wouldn't recognize it as a common fact of life for Justices. Of course they [Johnson and Fortas] talk. I must say that Abe,

as far as I know and I believe this is absolutely true--I never heard anything to the contrary or even any whispers of it around here from any of the rest of the staff--but the two of them have never talked about a case before the Court. The President has got too much respect for the independence of the Court for that and wouldn't want to embarrass Abe. But he has asked him an awful lot of things, which probably have gone on occasion too far.

B: Was Mr. Fortas upset that the controversy over his nomination caused difficulties for both the President and the Court?

M: I haven't talked to him about it. He didn't like it obviously and was sorry that it happened the way it did. He felt really blue when it was over, but said he was going to stay on the Court.

B: Sir, it's almost five o'clock. Shall we quit?

M: Okay.

[End of Tape 1 of 1 and Interview III]