

Anne Romaine interviewing Joseph Rauh

AR: This is Washington D. C., June 16th, interview with Mr. Joseph Rauh, council for the F. D. P.
When did you first hear the F. D. P.'s plans (for council?)... and what were the circumstances of your agreeing to become their council?

JR: First time I heard any mention of the Freedom Party was on March 20, 1964. I was chairing a panel of the Civil Liberties Clearing House on the question of civil disobedience. Bob Moses and his wife were in the audience panel. During the question period, Bob Moses rose from the floor and described the plan to form the Mississippi Freedom Democratic Party. He asked whether there would be support for the Freedom Party at Atlantic City. Since I had more experience in this line than any of the panelists, I answered the question myself and answered it very affirmatively. My thought at that time was that the Republican candidate would be fighting for the Civil Rights votes and it would not be difficult to persuade the Democratic National Convention to give strong support to the Freedom Party. The subsequent nomination of Goldwater and the passage of the Civil Rights Bill, of course, made the job about 5 times as difficult as it appeared on March 20, when I first heard a reference to it. But I still think that my original optimism was justified by the results which we accomplished, which I've always felt were quite considerable.

AR: To what extent did you council with the FDP before the Convention, when you went to Mississippi for the state...

JR: I have some references here. Two times I spoke with the leadership. There was a meeting with Bob Moses and Miss Baker in Atlantic City at the United Automobile Workers Convention in March. I think it was on March 24th that Mrs. Mildred Jeffris, who is the Democratic National Committeewoman from Michigan, Moses, Baker and I had a long discussion of the matter. And then on May 18, Bob Moses came to see me with two others. One of them I believe was Frank Smith, who had been at the ADA convention just concluded. The ADA National Convention had backed the Mississippi Freedom party fight.

AR: Who led that, incidentally; the suggestion for a resolution?

JR: At the ADA Convention?

AR: Yes.

JR: It didn't have to be led. I think it was sort of a unanimous consensus, united total. I don't think there was any argument about it, whether Frank Smith, who was there representing the Freedom Party, ever had to convince anybody, I would doubt. I think, although he wasn't a delegate, we gave him the privileges of the floor to explain what they were doing, but...

AR: Was Hubert Humphrey there?

JR: Hubert Humphrey was at the convention at some time, I believe, but I don't believe he had any connection with that part of the proceedings; namely, the unanimous decision to back the Freedom Party fight. The ADA Convention had been on May 15-17, and we backed it--it must have been the 16th or 17th; and then on the 18th Moses and Smith, who had been at the convention, and someone else came and we had another long talk. On May 20th, I took Moses and Miss Baker over to Mara (Sarah) Leventhal's for a thorough discussion of the problems that would arise in Atlantic City. Moses and Miss Baker and I sat out on the park over here after the Leventhal meeting. We again discussed the brief, but without any conclusions. Moses had asked me if I would collaborate with Bill Higgs on it and I told him that I would not do so. Then on Thursday, May 2nd...

AR: Why did you tell him that?

JR: Well, because I wouldn't collaborate with Bill Higgs on anything. He is neither a responsible nor a particularly good lawyer. But apart from not being a good lawyer, he's a totally irresponsible person. I wouldn't collaborate with him on minor matters, much less matters which take such absolute integrity. Aaron Henry is the type of person I like to collaborate with. We agreed that we would never do anything at the convention without first consulting with the other under most trying circumstances; both of us lived up to that agreement. It's not the kind of agreement that you could have made with Higgs. On Thursday, May 21st, Bob Moses and a group including Ella Baker and Norman Hill came to my house to discuss Freedom Party matters some more. This time Bob asked me to write the brief without any collaboration, and I agreed to do so. So that was the 21st, and then we got down to work. I was supplied with 2 assistants, both of whom were wonderful. One was Eleanor Holmes who is now Eleanor Norton. She works for the ACLU in New York. She was a Yale Law School graduate and friend of Marion Wright, and an absolutely lovely girl. The other was Miles Jaffia, a Yale Law School graduate who's father is a professor at Harvard. And over the next few months they helped me, and both of their names are on the brief, along with mine. You have a copy of the brief, don't you?

AR: No.

JR: Well, they are the two people who are on the brief and they're the two who really helped.

AR: I might say here that I don't have a copy or I haven't been able to find a copy of the Mississippi brief the regular party. ...made 60 of them.

JR: The Mississippi Freedom Party records somewhere may have them. I turned all my records back. I gave all my files to someone, and I've kept really very little. Files are always such a terrible bore to me and I can't remember for sure what I did. At any rate, I don't have a copy of the Mississippi brief.

AR: Do you know who might?

JR: Well, Mr.--what's that man's name from Laurel, Mississippi who spoke against me. He's the, he'd certainly be in the newspaper account of that time. The man who spoke against me at the credentials committee meeting that Saturday afternoon. And Joe Patterson was it, whatever that fellow's name, the assistant attorney general representing the state. They might have it. But I never saw their brief until the day before the argument. I read their brief from 4 until 6 in the morning on Saturday morning, before I had to argue on Saturday afternoon. So I didn't have very much time to look at it. But I'm sure that if you call the lawyer who's name escapes me now but who I believe came from Laurel, Miss. who spoke against me; it would be in the Sunday morning papers of that Sunday in August '64. I don't think it would be any trouble to get one. I mean I think he'd undoubtedly have it just like I have mine. I don't have his or the state's, but I suggest you may think of the name as the interview goes on of the man who was on the other side. At any rate, that was May 21st and I met with Moses a couple of times after that. On July 6th, I had a long talk with Aaron Henry. That was the first discussion I had had with him about this up to that time, it was with the staff of the party, not with Aaron. Aaron came to see me during the week of July 6th, when the NAACP had its convention in Washington and Aaron was here for that convention. We had a long talk, and as I remember, in my office. And I especially remember something I just mentioned a little earlier, and that is that I warned him, the first thing I did was to warn him that conventions are different than any other place. The object in a convention is to turn everybody against everybody else so that the people running it can have their way. And the quick trick is to turn groups that are fighting the bureaucracy of the convention against each other and that Aaron and I made an arrangement right then that we would always consult before acting and we would try to avoid any splits and we were certainly able to do that. Aaron was, I thought, a magnificent man at the convention, and still is. Now, that was in the week of July 6th. I don't have any

recollection of meetings with the Freedom Party people during the, uh, this period. I was working on the brief with Jaffy and later with Eleanor Holmes.

AR: You got to go down to the state, in Mississippi?

JR: Yes, Yes I did. On August 5th, I flew to Jackson for the August 6th convention. Bob Moses and Dave Wolff met me at the airport and we prepared for the next day's convention. The morning of August 6th, I met with the incoming and the outgoing executive committee of the Freedom Party and helped them with their plans for the convention. The afternoon there was the convention. I spoke at length on the procedures that we were going to follow. My recollection, although it's a little bit dim now, three years later; but my recollection is that I told them that the magic numbers were not 7 and 11 but this, as they are in dice, but 8 and 11 as they are here. Because the point of that is this: we had no chance of winning anything from the bureaucracy. In other words, they didn't want to give us anything, by this time the president had decided to seat the regulars and not to seat us-- that was perfectly clear.

AR: Why was that clear?

JR: Well, I had been told as much by the many people who were putting pressure on me not to go ahead with the fight, that the president had made his decision to not go ahead with the plan of seating them both, which seemed to me the sensible solution was to seat both. But, there was a great deal of precedent as our brief showed at the appendix at the end there. The thing that politicians always do when 2 people come along and want something, is to give them both the thing when you can do that. And, it was so obvious that the ordinary political solution was to seat them both. It reminds me of a very famous judge who once said to a guest at a dinner party in a restaurant, "What do you want for dessert?" and the lady said, "I can't decide between x and y" and the judge turned to the waiter and ordered them both. Well, that's such an obvious political solution to any problem, when there are 2 competing interests to do something for each that I thought that that was such a sensible solution; it was really quite an easy way to work it out. But what actually happened was that the pressures on the president from the right wing southerners was that they wouldn't do this. If I can jump ahead of the story, we kept arguing for votes; I did right through August, but at the convention I understand the president was meeting with John Connelly and Carl Sanders, allegedly the better of the southerners. And during this meeting when the president raised the possibility of seating them both, which I had been shouting for from one end of the Atlantic City boardwalk to the other, as a sensible compromise, Connelly said, "if those baboons walk on the floor,

we walk off." And Mr. Sanders backed him up. And this is the real point about any fight that's made in '68. The southerners don't mind having other southerners who won't play according to the rules thrown out of the convention. The southerners do mind getting on the floor with a bunch of Negroes who were not part of the machinery. In other words, the real resentment is not against the exclusion of Paul Johnson's crowd. The real resentment is against the inclusion of our crowd. And it's exactly for that reason why the president always was held back from seating them both. I don't think it would have bothered him to follow the normal procedure, and of course, as I suppose you remember, I had in my number of precedents there of seating both the situation which he had personally been one of the delegates and one of the 2 delegations. So the idea of seating them both was a kind of political--I don't like the word compromise as much as they; where you give somebody a little something and you give somebody else a little something else. It's the normal way you run politics: to see them both with the precedent and with the history, and it would ordinarily have been done. It wasn't done because--I'll put it this way. They would have had 2 white delegations fighting, they would have seated them both. It was only because the others was black that it wasn't seated.

AR: Before the convention...

JR: Which convention now?

AR: The national convention.

JR: Because I'm still at the state convention.

AR: Well, during the summer. Silver suggested that the 2 Johnsons were in contact.

JR: Oh, there is no question about that. But dear, I think you're a little ahead of the story here. Silver's correct about that.

AR: And you also mentioned in your interview that Humphrey had called you several times, too.

JR: Well, that's true too, but I think you're still a little ahead of us. This is the Lark's "lost" interview you're referring to now? Oh, my goodness, what a terrible thing. Well, at any rate, the magic numbers were 8 and 11 or 11 and 8, I guess, as I put them there. That meant that if we had eleven members of the credentials committee, we had enough for a minority report. And if we had 8 members, 8 delegations, we had enough for a roll call. Now the reason for the importance of this in the strategy that I devised is that you can't negotiate with the bureaucracy of the convention unless you have the 11 and 8. If you don't have

the 11, which is 10% of the credentials committee of 110; if you don't have the 11, you can't file a minority report, so you can't threaten them. There's no way in which liberals can ever be a majority of the credentials committee. The credentials committee is filled up with southerners, party hacks. Well, we ultimately got 17. So that shows: We had a majority of the convention delegates, but 17 on the credentials committee out of 110. So that shows you that I knew what I was talking about when I said that all you needed was 11 plus the...After all, New York has 2 and Mississippi has 2 on the credentials committee. And actually we had only one out of the 2 New Yorkers because the other N'Yer was a party regular. Jackingly from Nassau County was against us. I saw Jack in the credentials committee one day with a sack of telegrams on our side 2 feet high. I said "Are you weakening Jack?" He said "Well the heat's pretty hard, but it's harder the other way." So anyway, we had 17 out of the 110, but all we needed was 11 to file the minority report. Now, even with a minority report, it doesn't do you any good unless you get a roll call. Because the chairman of the convention has the certain kind of ears. They are ears that hear what the reigning people of the convention want. And this, of course, is the president when you have an incumbent president in your party. And it didn't matter to Sam Rayburn whether everybody in the house shouted one way, he heard it the way he wanted to hear it, because there's no other way. A voice vote is meaningless in a convention because it is always called according to the predilections of the bureaucracy. You get a roll call with 8 states agreeing to demand a roll call. So you needed 11 and 8. Once you had 11 and 8--then they have to treat with you. Because 11 and 8 means that there'll be a roll call. And the one thing nobody wants is a roll call because either we would have won or we would have been so damned close to winning that it would have split the party. So it was at the stage that they knew that I had 11 and 8 that they began to treat us with some seriousness. Well, the president saw my speech on television before the Mississippi Freedom Democratic Party, and he can count too. And he knew that it would be impossible to keep us from getting the 11 and 8 and that was when they really started to tree and that may answer some of your other questions. At any rate, I'll go into those a little later. But just to conclude with the convention. The convention then decided to start work on getting the 11 credentials committee people and the 8 states. And they started their lobbying there. I had to write some letters that night. That was the afternoon of the convention of August 6th. That night, I wrote a letter from the--I guess I wrote a couple of letters to John Bayley, saying that these are our delegates and we hereby give formal notice of the challenge, and I caught a plane back to Washington about midnight. I got back to Washington the next day, the 7th, about 7:30 and washed up and rested about an hour or two, and then I went to see Bayley with

my letters, and said here's your formal challenge, here's our list of delegates. Bayley was, well, Bayley's a politician. I said, seat them both, and Bayley shrugged his shoulders. He didn't care, it didn't bother him any. It would've been a good way to settle a fight would be to seat them both. You never would've had any fight. It was guys like--well, Paul Johnson would not, well, seating them both was a little bit of a trick on my part. Paul Johnson is not going to sit down to dinner with Aaron Henry, or at least he wasn't then, but he certainly was not going to sit down in any joint delegation with Aaron Henry and what he would refer to as a crowd of "Jiggs". He wasn't likely to do that. But as far as the convention was concerned, it would have done the magnanimous thing of seating both. Anyway, that didn't happen, but I understand from many sources, although not from the president himself, that he heard of 11 and 8 and for the first time realized what a cinch I had to make a real fight. Up to then he thought they were going to be it and that's when the pressure started, that's when the president really started to put the pressure on me to give up, to stop it, and to get out, to quit, resign and everything else, but I must say there's nothing he has that I would have wanted to give up on what was so much fun. Everybody says this took a lot of courage and principle, but I don't think anybody realized how much fun this was to really get into a real battle like this. To have troops and to have a real fight with all the power. I think that the amount of power rated on the other side is the greatest aggregation of power that I'd ever seen in action put together. You had the whole democratic political machine, the president, the whole White House and the whole labor movement, all trying to stop a few little Mississippi Negroes and me from making a little stink at the Democratic Party Convention, but they just didn't realize this thing was bigger than both of us, as the lady said to Jack Benny, and I think it is just as simple as that.

AR: What was the attitude of the MFDP leadership after the local convention down there about seating both?

JR: Well, we never talk too much about it publicly because they couldn't either. They were just like Paul Johnson. They couldn't agree to sit down with them. But everybody, on the side, recognized that it'd be a gigantic thing if they could seat them both. Furthermore, as I pointed out to them, seating them both meant you got all the seats because you're going to accept and they're not. So while we--you never publicly take your, when you're bargaining, you never publicly take your private position. So publicly we demanded the seats, and that they be ousted, and everybody understood that we would be happy with seating both. And if you look at my brief which was approved by Moses and everybody else before it was filed, if you look at the brief it's perfectly clear that it's heading for the seating of both because the appendices are just reeking with the examples of seating both.

And it was perfectly clear what I was doing. I was demanding we be seated and they be ousted and giving them precedent which went towards seating them both. It was always perfectly clear what we were trying to do. And with the 11 and 8, with my figures of 11 and 8, I thought we were making a good case for seating both. But the heat was on to a gigantic degree. And, of course, I was particularly subject to heat by virtue of the fact that I wanted the Vice President to be, uh, I wanted Hubert Humphrey, then Senator; I wanted Hubert Humphrey to be vice president. And while he himself never once suggested a compromise, uh no, I misspoke. He himself never suggested I yield to help him get to be vice president. His staff was not as kindly and generous and a number of times I heard from people around him that I had cost him the vice presidency. I'm sure lucky, I'm sure glad he got it cuz I'm sure I would've been accused of costing him the vice-presidency; daily I encountered that I'm costing him the vice-presidency because the president was holding him responsible. But this is the reason that Humphrey is one of the greatest men that's ever been in American politics. Never at any time, in the entire period that this thing was up did Hubert Humphrey ever say to me, "come on Joe, just do this little one thing for me." Indeed, at the convention to get ahead of my story, because this must be told, Hubert Humphrey and I would be together sometimes between 3, 4, 5, and 6 in the morning down there and we sometimes were all alone and he could just put his arm around my shoulder and told me "you just have to give in, and I'll be vice-president and if I can go to the president and tell him you've given in, I'll be vice-president." I don't know what I would've done. It would've been an excruciating thing and I don't say now to this day what I would've done. I will say for Hubert Humphrey that he never once even implied such a thing, much less having said such a thing. It's the kind of integrity that makes people stick with Hubert Humphrey even when he's wrong on the war in Viet Nam. Now back to--that's the morning of the 7th. On that same morning of the 7th, I gathered that the president beat the living daylights out of Gov. Brown because that was--because Brown had permitted the Democrats of California to endorse this so, therefore, I had one of the best states, the biggest state, and everything as one of the 8 that meant 2 delegates, at least one delegate, Vernon Campton, who was in the credentials committee. And he balled Brown out for that, so Brown told the congressional delegation here that afternoon of August 7th that he thought that California had been too hasty in supporting the Freedom Party. And I heard about that and I released the story to the Los Angeles Times and Brown got such a kick back that he cut it out. He left us alone. Well, let's see. The pressure gets hotter in this period. The Humphrey people tell me I've just cost him the vice-presidency. And on the 11th, Lee White called and I talked to him at great length. He was the president's lawyer at that time. He's one of the special counsel. He said the president had mentioned the matter to him

and would I give him the whole background. I made the usual pitch for seating both and Lee seemed somewhat convinced. That's my note of that particular moment. I guess sometimes you think you're more convincing than you are. At least I thought he had been somewhat convinced. At any rate this thing, that was on the 11th, we're getting fairly close to the convention now. The labor movement moved in on the 12th to tell me to stop it, but we didn't.

AR: From whom?

JR: Well I just as well leave history alone. I can only say that they were high officials representing the highest, maybe I can put it that way, with direct orders from Johnson to do something. A lot of them were my friends. They're my friends today despite the pressure that they put on me not to go ahead with the fight. Despite the fact that some of them have recriminated cuz I went ahead with it. I still don't feel that I care for any recriminations from that. But that night, one of Humphrey's assistants told me that Jim Rowe, who is a Johnson's advisor, called Hubert and told him that unless Joe Rauh stopped the Democratic Party fight, he wouldn't be vice-president. And I said, "well, if Hubert wants to tell me that, why I'll take it from him but I'm not going to take it from anybody else." And he never did tell me that. But whether the president ever said to Humphrey "unless Joe Rauh stops, (he) wont be VP", I don't know. Certainly all of his assistants were saying that. I have no proof that the president was saying that.

On Thursday, Aug. 13th, Jack Conway, who represented Walter Reuther in all this, and I met with David Lawrence, John Bayley, and Harold Levinthal. I promised Gov. Lawrence that I would present our case in a workman-like manner and that we'd treat him with respect. There'd be no pretest, no sit ins, no evidence to pressure him. We would bring in the case on the merit and I didn't have to do anything to dramatize it. I said that it dramatized itself. He asked me how long I needed to make the case and John Bayley suggested a half hour and I told John if it was a half hour I wouldn't come. I needed a couple of hours and, of course, that was for the purpose of getting an hour which is all you could really keep people whipped up for. So I had an hour and that was enough. I couldn't have done any better in 2 hours than I did in an hour. So it worked fine. I made the pitch for seating both and it was interesting, very interesting what happened in there. David Lawrence, the old governor, thought it was right. He gave example after example of seating both in Pennsylvania.

AR: He was chairman of the Labor committee?

JR: Yeah. Well this was the week before. It was perfectly clear-- what he was saying was "well we in Pennsylvania politics, I'd do that in district, precinct convention; I'd do it--why anytime

when two guys are in a fight I say, well just calm down, fellas, we'll seat you both." I mean I hit the right note with him. John Bayley was nodding his head. But neither of them had the word. The real point was that neither Mr. Bayley nor Mr. Lawrence had the word yet. But Harold Levinthal had the word and he--there's just no basis for this, you can't do it, and he who was the least ranking official there, because he was the lawyer, counsel for Lawrence, and Bayley, obviously I could tell right then that he's the kind. He got the word, not the other two, because the other two were smiling; you know, your really being political, Joe. You know, people are wrong you're not one of them amateur rascals, a great politician. Seat them both, that's great stuff. But Levinthal had the word and he gave it to me. They were not going to seat them both. They weren't going to have anything to do with that. We weren't going to be seated. They were going to hear us but they weren't going to do anything about it. Now that afternoon, I note here, I see here that Sen. Humphrey called me and said he was sorry he hadn't been able to see me the night before. I must have tried to see him the night before prior to this meeting with Lawrence and Bayley and Levinthal. I told him that I didn't want him to get involved, that I thought that the stupidest thing that he could do was to accept the assignment of running this. He said he agreed with me that he would keep out of it but obviously that was his view on the 13th. Shortly thereafter he was directed by the President to get into it. On Friday, Aug. 14th, Walter Reuther called. He had told me that I had cost Hubert the vice-presidency and he said the president was calling him repeatedly and made it perfectly clear to him that "Reuther, the Hubert vice-presidency rode on the settling of the Mississippi thing to the satisfaction of the president." That was--what date did I say that was?

AR: The 13th, I think.

JR: The 13th I argued my side of the case. I guess I wasn't very convincing, because it ended up with Walter telling me that I would have Hubert's blood on my conscience for the rest of my life, which I suppose I would have had had he not gotten the vice-presidency. I've never lost a night's sleep over it. The funniest thing happened on Friday, Aug. 14th. This is the funniest thing of the whole thing. Kenny O'Donnell called me. He said things have come to a pretty pass when my own brother votes with you and against me in the Massachusetts delegation. I said "look, if you can't control your own brother and you think you can control the convention?" and Kenny said, "Well, maybe we ought to do something here." I said "You mean--think I'm beginning to get some strength?" He said, "Well why don't we think of something here?" I said, look, I gave you a perfectly sensible out for this thing. Seat them both. I've given everybody this out. Publicly we asked for the whole thing, but seating them both is the right solution. He said, "well, the other side won't take it." It was perfectly clear from this that

Kenny O'Donnell had checked Paul Johnson. And you asked me earlier whether there had been contact. Well, there's just no question about it. Kenny O'Donnell obviously, or the president himself, had checked Paul Johnson on the idea of seating them both and had been rejected perfectly clear, he said "I won't take it." I said, "Well, I tried. We will be the only ones seated, but you will have offered seats to both." And then I saw Humphrey on the 14th, I think that's the same day that Kenny called me. I told him about Kenny's brother, that he couldn't control on the Massachusetts delegation which voted to support us and they thought it was funny. And I saw Humphrey around 2 o'clock and he seemed to favor the seating of both. He hadn't gotten the word yet. Levinthal was the only guy with the word so far as I could see.

AR: What was Levinthal counsel for?

JR: He was counsel for the Committee's to judge. I don't harbor judges and maybe that's good, and maybe that's bad. But Levinthal was, to a degree, the hatchet man in this operation for Johnson. He was one of the hatchet men. There were so many hatchet men that you had to stand with your back to the wall all the time because of the hatchetmen. But Harold was one of them. When he was up for judgeship a year later, there was an article in the paper that he shouldn't get it because he was a reactionary because of his position on the Mississippi Freedom Party, and I wrote a letter to the paper. I didn't think that that should disqualify him from being a judge. I'm saying this because I don't believe in grudges and things of that kind. I think he was too rough at the convention but I don't think that that should cost him from being a judge. He'd be a good judge, and, uh...Anyway, on the 14th, it looked to me as if Humphrey clearly was for seating them both and he called Gov. Lawrence, right then when I was there. And Gov. Lawrence said, "I agree with you." "Why don't you call the president?" And Hubert said, "Why don't you call the president?" And they finally agreed that John Bailey was the one who should call the president. This was one of the funniest things. I only heard one end of the conversation. I mean I was only standing next to Humphrey.

AR: Where were you, were you all at Atlantic City at this time?

JR: No, we were in Washington. This was August 14th. This was a week from Atlantic City. This is really riotous. I'd forgotten this. This is Friday, August 14th. Hubert called Dave Lawrence and they both agreed that they should seat them both. So they both argued that the other should call him. And neither of them obviously wanted to the president. Oh, this is wonderful. (laugh) They both decided that John Bailey was the one to call the president. Anyway, that was absolutely one of my riotous moments. Hubert was a lovely man. He knew

how funny it was that nobody wanted to call him. Lawrence didn't want to call him. He's an elderly gentleman. Hubert's running for vice-president and he don't want to call, so they both agreed that John Bailey should call. Well, anyway the president's word was out, really through Levinthal to me. I think that that's still the day before the 13th when I said that meeting with Dave Lawrence, the 13th, yeah, that's just a day later. The word just hadn't come. Levinthal had it. Anyway, on Sunday, the 16th, I had a terrible day. The California Central Committee was meeting and Brown was for reversing the California support for the Freedom Party. And a lovely fellow, the head of the party, called me, a lawyer out there, and now, darn it, my memory fails. He was the head of--he's from the North California--San Francisco area, and he made the point to me on the telephone, "Joe, we've got to go against you." And I said, "California can't go against us. That will kill us!" And he said, "I honestly don't believe that you have a legal case for the Freedom Party," and he was sincere! I mean there wasn't any question that this man whose name I'm having trouble getting was totally sincere. A fine lawyer from northern California and chairman of the Party. That guy was perfectly sincere. Well, I argued, pleaded, begged and finally said to him, "Look, I've had more chance to tell you this than you have. I will stake my reputation as a lawyer on the fact that I have a legal case sufficient to do this--for seating both. And he finally said, "Allright, I'll go back and I'll tell the convention that I favor this" and I really consider that a lovely act. He was really, ...he said "I haven't had that much time to study and I will do that," and they voted that Sunday afternoon to reaffirm their support for the Freedom Party. And Monday, August 17th, Dick Goodwin called me. A different White House person would get the President's wrath every day. And he called. He said he was calling on his own, but I never--you know you don't, that's the way you always start a conversation when you're calling for someone else. He said he had a proposal. He said, "Let's seat both groups, and not decide who has the vote unless it becomes necessary in the convention." It never would become necessary because there wasn't anything to argue about if we were the only subjects who could argue about it. So I thought for a minute and I said, "okay." I knew that Paul Johnson wasn't going to take this. I could be very magnanimous to the White House on proposals, because they couldn't clear it. So, he said, "That's great. You're really being so cooperative. I want to thank you so much." You see, the only difference between this and my proposal was that my proposal was to seat them both and split the vote, which would be the normal thing, So we'll just seat them both and don't argue about who's got the vote, and I said, "allright." He said he would call me back as soon as he had it cleared. That was the last time I ever discussed the subject with him. He never called back. That night I got the first copies of the brief, from the printer. That's the 17th. And the first copy went to the President of the United States, or rather it went to Lee White who digested

it to the President. I really figured that this will really throw them, it'll put the fear of God in 'em cuz we really got something. Tuesday, August 18th, was the press conference, releasing the brief which received a tremendous break and then that really is the story up until we go to the convention.

AR: So you got there.

JR: I went Thursday, I'd better start dating these days. Thursday would be the 20th. I went on the same plane with Dave Lawrence and it was funny. I get off the plane there and all the reporters and they're Lawrence and me, and it looked like it was all cooked up. All those reporters, they got all cooked up. I had been very respectful to him on the plane but we hadn't sat together and we hadn't said a word about this. I was not going to presume on the judge of the case to talk to him about it. If he wanted to talk to me about it we had our rules set up. Why I would be happy to talk to him. But he didn't do it. He sat in his seat and I sat in mine and we got off together. Well, they had cameras all set up. Actually, I don't know who they were for, but the reporters were more after me because I'm more controversial, not because I'm more important. Dave Lawrence certainly is more important, but I was more controversial. But I said no, Gov. Lawrence is here. He was very much of a gentleman, appreciative and courteous. He went up before the microphone and said everything is going to be worked out. You know us Democrats. And he was fighting-- he was going--and then I got up and, well, he finished, he left. He walked away. And they started asking me if we had a case. And I said, "eleven and eight, we got 'em. It's a cinch." And he said "well", and this is all, and the cameras are really grinding and then, of course, the Humphrey question: "had I cost him the vice-presidency."

AR: Uh-huh.

JR: And I said no. I think he would be vice-president. And that I didn't think that there would be much problem, besides I was only working on this. It wasn't true because I was trying to work on delegational , but I thought that it ought to be separated and it had nothing to do with it. If Humphrey was the best man to be vice-president then this is a separate battle, but that didn't work too much. And that was Thursday night. Friday, the 21st, the delegations, the delegation arrived at their motel; what's that motel's name in Atlantic City, they had a Negro motel. They even had us segregated. You know that's terrible. We couldn't get them decent accommodations. They had some form of unairconditioned accommodations. God, it was hot in that motel. Anyway, they arrived from Jackson in busses, tired and everything. But my goodness, we had a lot of press around. So Aaron and I held a press conference. It wasn't 30 seconds but Sandy Van Oucher had Aaron and me in an apparant disagreement. Well, that's the trick, that's what reporters are for. Sandy's a very good friend of mine, but I don't blame him, that's what reporters...uh... he asked Aaron if he would take seating them both and Aaron said, which was our position, mine too, publicly. "No, we demand our full rights." We have

always said they shouldn't be seated. And Sandy said, "I understand Mr. Rauh's been going around trying to sell seating them both." Well, I had to straighten this out cuz that was perfectly true, exactly what had happened. So anyway, I got up and said, "Our position is that we want these seats. They should be unseated and we should be seated. If the White House makes us an offer of seating both, I believe both Mr. Henry and I will consider it, is that right Aaron?" And Aaron said, "Absolutely, there is no disagreement between Joe and me." And so the thing had started to solidify.

- AR: That's incredible. Just out in the open you said if the White House offered instead of the convention.
- JR: That's right. In other words... Aaron was great, you know. He's the kind of partner that you always wanted. Some men whose word is good, who's trying to cooperate with you. And he was just great. Now, as we'll see, that's Friday. The biggest fight on Friday was the usual White House effort to suppress. What happened, well, we had our delegation there and they fanned out to sell people my eleven and eight. They were trying to get more than eight delegations and more than 11. Actually, I think, before we were offered the compromise that I thought a good one, we had maybe 12 states for roll call and 17 credentials people. So this was the lobbying that went on that day.
- AR: May I ask you one thing? Most of this lobbying, I understand had been done by people not going much before to delegations in their homestates, would you say?
- JR: They had done a lot. There was a lot of lobbying done before. I don't think it had much effect. I think the lobbying--
- AR: Would any collaboration with you--I mean, did you advise them on this, or was this done by Miss Baker or who, uh--I had several interviews with ~~Miss Gans~~ ^{Miss Gans} and Walter Tillow, and this was earlier. I don't know, this was a year and a half ago, and I just wondered...
- JR: I think there is some disagreement between Tillow who, say, ran this office over here on 14th Street and myself. I think Tillow feels that they had gotten delegations. My feeling is that SNCC is not able to get political commitments. It's no reflection on SNCC, but people who're that far left in attitude cannot get commitments out of politicians. Politicians want to get their commitments from people that they've dealt with more in the past. I think most of the commitments were gotten by other people also in the mainstream of political left--He feels they have; I have no reason to say one thing or the other. My hunch is people like Tom Carvey (?) head of the CDC in California and myself and Millie Jeffry, who was in the labor movement, even though the labor movement was against doing this. I think we had

more influence in getting delegations signed up than they did. If they feel that they had more, I don't want to disagree or be saying that "I done it" or anything like that, but it is generally my experience that in political activity it is very hard for SNCC to have a major effect. At the convention the delegates themselves were magnificent advocates for their position. So was Bob Moses. Bob Moses is very good. At the convention, I thought that Moses did a superior job in marshalling his forces for having a few of his people go to these caucuses. That's a different story. When these Mississippi people themselves went to the caucuses, they gave the impression of sincerity and oppression that couldn't have been better. You couldn't do better than these people as their own advocates at the convention. But remember, they hadn't been going around the country. They had been in Mississippi. They were first time seen that Friday afternoon, Friday night and Saturday morning.

AR: What about Al Lowenstein?

JR: Well, Al comes into my picture I think a little later, although he had helped earlier. As a matter of fact, I've always considered Al the real father of the Freedom Party. Now you have Al's tape don't you?

AR: Yeah. But it got up to the convention. He came to our house in Charlottesville and said, you know, we'll continue this. And I'm afraid I'm not going to be able to.

JR: Oh, you've got to do Al on the thing I'm going to tell you about on Sunday night. Al's the most important single witness in the whole case, as I'll tell you when we get to Sunday night. We're on Friday, aren't we? Friday, Aug. 23rd, and these delegates are doing their own job. But my fight Friday was a wholly different thing. I told you about the bureaucracy suppression. I said to Levinthal, I guess it was, or maybe Lawrence, I can't remember which, "What is going to be tomorrow?" You know I want because of my delegation--I want to get my argument ready, am I going to have a table. You know, I'm a lawyer, what do I work from? He said, "Well, we're having it in room such and such." And I said "you're having it where?" Cuz I knew those rooms. But the first thing you do when you go to a convention for any young Democrat trying to learn about this subject, is you learn the geographical whereabouts: You learn where the telephones are; you learn how to communicate. And, this is the important part. Well, I knew what the room was that he was referring to and that room was just big enough for the credentials committee and me. And this would've had no audience, no excitement and I set out to get this on nation-wide television and in front of a big audience, that I could whip up. The fight all day ranged on whether this thing was open to the public. And here Sandy Van Oucher came back and repaid me in kindness for the discourtesy when he tried to split us in

the morning before, uh, that same morning. At six o'clock he went on NBC, I'm told, I didn't hear it, and he just blasted the administration for trying to suppress this thing and not letting the public know about it. At 2 o'clock Saturday morning the phone rang and it was Gov. Lawrence. I was starting to prepare my argument. I mentioned earlier that I read their brief from 4-6. From 2-4 I prepared ours and then I read their brief to see how they answered that, to see if anything was in it. There wasn't very much in it that I cared to answer. I made most of the thing on the affirmative basis. But at 2 o'clock the phone rang and it was a message from Gov. Lawrence, that it would be in the big room. And so they were all set up and ready for it. And I got my argument ready; I went to the motel-- we went by bus to the motel; to the convention headquarters, and we all marched in. Now the record of that meeting and of the hearing for the credentials committee, you all have. We don't have to talk about that.

AR: No.

JR: ...As far as I can see.

AR: No, I don't have it.

JR: You don't have my speech there?

AR: No.

JR: You want to turn it off for a second?

AR: Continued on the next side.

JR: As far as the credentials committee's public hearing is concerned, there is a stenographic transcript of that which the Democratic National Committee has. There's absolutely no reason that they should deny that to anybody making a serious effort to report on this event.

AR: Well, I was down--Harry and I were down there before and that's what they said. There were 2 women there, and they said they had to go in a certain order so that they could go on. They had a certain order.

JR: I wonder if you were sure that they were referring to the committee session. Maybe this will be in there, I don't know. But I would check again. They certainly ought to make available to you this hearing on Saturday, Aug. 22nd, which was the public hearing. Well, that night, Saturday, Aug. 22nd. That night we met at the motel. Everybody was jubilant except Fannie Lou. And I thought she'd be jubilant because she had been on nationwide television and done beautifully, but the president had preempted her time and she was sure that this was deliberate. Well, if my life depended on it, right now I couldn't tell you whether

I think it was deliberate or not. It was a strange thing that happened: that right in the middle of our hearing that the president should pre-empt time. But you know he got fooled because that night they replayed it in prime time. They replayed that whole fight that afternoon on prime time. And Fannie Lou was on that night and she felt better Sunday morning. But she really had thought that the president had taken her time away and as I said, I don't know whether he did. All I know it was an awful coincidence that he had to suddenly go on the air that Saturday afternoon just in the middle of our presentation. At any rate...Now we are on Sunday, the 23rd. I suppose I may as well tell you one of the difficulties I was having. I was having trouble even keeping alive because I didn't have too much sleep at best and my son was sick in my room. We didn't know at that time that he was very sick. The doctor that we had taken him to, had indicated that it was nothing, that he should just get some rest. And actually, he had a terrible thing, and anyway, he had to be taken back in an ambulance then later next week. Anyway, we were living in a room together and it was sure and awful mess. At any rate, Sunday I got up and I had a problem that Sunday. I think it was, no, it was not the morning that I had the problem with my own delegation. That I didn't have time to study carefully to deal with because I was out on this, but I'll have to mention that a little later. This was Sunday morning. We were working on making sure we had the credentials committee, to get our necessary eleven. That was the job that morning. Some of those people met with Dr. King at lunch about 12:30 on Sunday. The credentials committee meeting was called off, I believe, for 2. And at one o'clock Harold Levinthal showed me their proposal. And it was pretty thin, thin soup. It didn't offer us any delegates; it didn't include them and it had some vague thing about the future. It was really dreadful. I told it was dreadful and totally unacceptable. We'd fight it out. I was shown that at a little after one and I walked back to the King meeting and told them that it was totally unacceptable and what was in it. And to get ready to fight. At 2 o'clock we had the meeting. There were some other matters that came first. There are records of this meeting. Everything that was said was taken down. There are full transcripts of these meetings that they certainly ought to let you see.

AR: At the Committee meeting?

JR: At the Democratic National Committee. At any rate, the subject of Mississippi came up and there was some discussion. And a man from one of the midwestern states made a motion to adopt what Levinthal had shown me. It was their motion. And I was on my feet shouting for recognition to oppose this, as were a number of others. But recognition went not to me, where it clearly should have gone and Gov. Lawrence really should of, but to Al Allman, the Congressman from Oregon, who was there as a member from Oregon as was Edith Green a member there from Oregon. I've never known for sure whether this was prearranged,

but I'm inclined to think it was as I look back on it. Because Al said "I move to amend this by adding that the Freedom Democratic Party shall have 2 delegates." And my heart sunk because he was one of our 17 pledged on our side and here our side was reducing its demand to 2 before the fight had started. And it was, I almost thought I'd get sick. Because it was so terrible to have a thing like this done. In retrospect it seems clear to me that the administration had already started to think they had to give something and they were going to do it this way. They knew I wouldn't take it and offer it. So they went to one of our guys behind our backs and got him to take this. Uh, well, I finally got heard just after they announced the two--something fierce. It was totally unacceptable. But our forces were split with Allman's proposal.

AR: So this is before the Green compromise was suggested?

JR: The Green compromise was never suggested.

AR: Publicly you mean?

JR: Well, it was never suggested in the credentials committee because it couldn't be. Because procedurally, the only thing that you could do, you had the proposal and you had one substitute. That was all that you had. There was no further parliamentary way which you could get anything else. We were stymied at the moment. If he had let me get up to substitute, I was going to substitute "seat them both." For what I believe was Wyoming, it was one of the midwestern states, it was the administration proposal that was put down, then I wanted to substitute "seat them both", then I was going to modify it maybe with an agreement that maybe wasn't quite as strong as "seat them both," that was satisfactory to me. But Allman puts down the substitute of "seat 2" adding it to the best of the rubbish that was in the other one. Well, I almost died. And so did Edith Green and so did everybody who was on our side but at this stage there was a lot of talk, but nobody really was getting anywhere. When the attorney-general of Minnesota, Fitz Mondale and I had a talk and we agreed that we'd better not make a decision on that, because you make a decision for 2, either way, I'm on the floor and I've still got eleven. Because I went around and found out that I still had eleven. Most Allman, but I still had 11 for a to still get a minority report. So he proposed that a committee be set up and an adjournment til Monday, and I agreed to that. So it was adjourned. But the parliamentary procedure on adjournment was that the administration's proposal was on the floor with a proposed amendment of 2 and we adjourned. That brings me to Sunday night. And Al, which has always been the strangest thing in the story to me and, why, you will not be doing a proper job if you don't see Al once more. Sometime in this period Al shows up, whenever I'm in a real difficult situation, Al shows up to

help. He's like a good gremlin, I mean whatever happens there he is. So there he was. The meeting was called in King's room of the good credentials people and Dr. King and some others--Mr. Moses--to discuss this matter. Well, I'm out on the outside and we're discussing how bad the 2 is, how impossible it is. And we won't take it. And we were unwilling to accept that compromise. We were going on and fight for both. And I left that night determined to go on and fight for both. But what Al has told me subsequently is that--this is a suite. King was in the bedroom, I was in the living room, I never went in the bedroom. But in the bedroom, he, King and Moses and one or 2 others agreed that the 2 was a victory and they would if they couldn't get better, take the 2. I was not told this. I think I was not told this by accident. I don't think I was not told this by design because I know Al wouldn't-- Al was flabbergasted when he later told me this story and, I said, "what are you talking about. I didn't know about any agreement to take 2." Because Al told me to be nice. He said Moses' turning on you later on was so absurd, he was willing to take 2 on Sunday night. You fought on for more long after he came in. And I knew nothing about this. That's why the story is of no sense. A good story here can't be written without the story of the meeting in King's bedroom that Sunday night. I was not in King's bedroom, I was never contemporaneously informed of that meeting. I knew they kept going in there. But God, I'm not a suspicious guy. It never occurred to me. The meeting in King's bedroom becomes the most important meeting of the convention, in the sense that according to Al, Moses agreed that the 2 was a victory, and it wasn't until Tuesday night that he turned on everybody and called them racist for thinking it was a victory. You remember the Tuesday night attack on everything, but---

AR: Uh-huh.

JR: I'm only saying this; the Sunday night thing is relevant in that. Anyway, I left Sunday night, fighting on for demanding everywhere, the press waiting outside King's office, they said what have you decided. We are for both, seating them both. Or I may even have been still saying publicly we were for seating us and throwing them out. I can't remember because, everybody understood what our real position was, but we may've still been making the facade of the other one. I honestly don't remember what I said when I came out of there. I walked over to Humphrey's suite as I did every night afterwards and reported to him that-- what our position was; and we had a long talk. And I went home and I went to bed for an hour or 2, and when I got up--this is Monday morning, the 24th. Allright, we had a meeting out in the church which had become our headquarters. We had speeches and rallies, and we were fighting on. Out there I got a message to come to a meeting with the Vice-President at one o'clock, I think it was. So I went there and in the room there were Edith Green and some of our delegates from the credentials

committee, Humphrey and his staff and Dr. King and Moses. And Humphrey....

AR: Was Al there?

JR: Yes, Al was...

AR: And Mrs. ~~Hamer~~ Hamer wasn't there, right?

JR: I don't remember. Try and get Al to answer that.

AR: Yes, he said that she wasn't there because she was emotional.

JR: Well, at any rate, there was at least--

AR: Was Aaron Henry there?

JR: Aaron was there. Aaron and Moses. And I--at least the Freedom Party was represented. I think that Ed King was there.

AR: Yeah, he was.

JR: And Al was there, sitting there silently until something important had to be said. Of course, you can tell him this: I think your husband is a great man. Absolutely great. The kind of partner I will always want to have. He's just great. And so there was a great discussion, but nothing was really moving. It was fencing pretty much. And it got towards 2 o'clock and I got jittery because the committee was meeting at 2 again. I forgot to say that we adjourned on Sunday afternoon until 2 o'clock and I said "Mr. vice-president"--No I didn't; I must have said Mr. Senator. I'm an idiot. My memory isn't as really good, I guess, as I wish it were. I must have said-- maybe I said Hugh, I don't remember for sure. I said, "I'm troubled by something." He was very kind and said, "What is it Joe?" "We have this 2 o'clock meeting of the credentials committee and could you please ask one of your staff--Bill Kenell was standing there; Bill or someone--"to call Gov. Lawrence and ask in your name for the postponement of the thing." And he made the only mistake that I've ever seen Hubert Humphrey make of this kind. He said, "Well I don't see what all the people from the credentials committee are doing here anyway?" And that was a mistake, because Edith Green said, "Well if that's the way you feel about it, I'm leaving," and she flounced out of that room. She went downstairs in front of the television and said, "Humphrey is trying to force the Freedom Party to sell out." And turned on him. Well, he had made a mistake, but she exacerbated. But he had made a mistake. He shouldn't have done it. At any rate, most of the credentials people left. But I didn't. I walked over to Bill and said, "Bill, I can't be in 2 places at once. Please call and get and give me a confirmation back that that meeting has been postponed." And I stayed. And a few minutes later Bill did come back and said that meeting had

been postponed. So we stayed and we talked and we talked and we really didn't get anywhere, except we agreed to talk some more and to try to find a solution. We were not, so that meeting broke up. Oh! Humphrey did something; I think it was Aaron who said what will we do tonight. What are we going to do tonight. You know, the convention opened in the evening or I guess that evening. That was the night of the opening and the keynote. I don't know if the keynote was in there. But there are a lot... Ordinarily you'd have a credentials report. That's the opening night of the convention. There are speeches and big deals and everything. They want to go. Well, Humphrey says "You have got no problem. You'll have as good seats as there are in the house. By God they were hard to get and they turned them loose, but they got them. And all our people were all in the delegation and they were all happy in the convention hall. They weren't on the floor as delegates but they had very good seats not as delegates. But anyway, it did break up on that nice note: that they were being taken care of to get in the thing. But the problem was being postponed. I came down in the elevator. This was at the motel where the White House crowd was. We came out and there were all the television cameras and so I was in the front. And in the first place, Mrs. Green says "Humphrey tried to get the Freedom Party to sell out upstairs at 2." And I said, "No, Mrs. Green, there was an unfortunate misunderstanding about the problem, but Senator Humphrey didn't do anything like that. He was trying to reach a solution." "Was your position changed any?" I said, "No," were still for all of this and we're going to win. I said we still have 11 credentials committee members, ready to sign a minority report for our position, we still have 8 delegates. We have an excess of both of these so I'm not troubled. Was it coming up tonight? I said, I don't know. I'm going over to the credentials committee and find out what the situation is. And just then, and in one of the strangest coincidences, up the street from the boardwalk across from us are Dave Lawrence and John Bailey. And so, there's a confrontation of me and them in front of the whole press. I've never had them negotiate. I said "Well!" I said, "What is the situation?" "Well, we have adjourned the meeting until the call of the chairman. What do you want to do?" I said, "What do you want to do?" You're in such a public amphitheatre to negotiate. They said, "Well, what do you want to do?" and I said, "What do you want to do?" And the people started to snicker, because none of us knew what we wanted to do--I couldn't figure what the hell to do next. I hadn't had a caucus with anybody. I couldn't make up my mind what to do. And I said, "Well, what are we going to do for tonight?" I said, "Just let me tell you, whatever you guys try tonight, I've got eleven signatures and 8 states."

AR: All this was still in front of the people?

JR: Still in front of the press. First I said what are we going to do. If you're going on tonight, we're going on, too. But I

was in terrible shape, for one reason which wasn't generally understood. I just didn't have any speakers for that night of any standing. The big men of the convention would have all been either silent or against us. In other words, the big senators. I'd asked Paul Douglas if he would speak for me. And he said, "Joe, I can't do it. I've always taken the minority side. I can't do it this time. I'm up in '66. Don't ask me." I said, "I didn't ask you that." I love Paul Douglas, but we had none of the men of stature. We had all the people. All we had was people. But the speeches would have had to be made by Edith Green and me and on the other side they would have had Senators and Cabinet--they'd have--we'd have looked awful for strength as against the other side. And I was really worried about going on that night because I didn't have--our team wasn't lined up at all for speeches for that night. And I'm sure theirs were all written and ready to go. And I was really in the soup. And I was really bluffing here. And I said, "I'm ready for tonight. We've got our speeches lined up, we've got our 8 roll call. I said I had in my pocket enough signatures for a minority report on whatever you do. They said, "Well maybe we ought not bring that up tonight." And I said, "Are you asking for the postponement?" The one thing that I didn't ever want to do was to get where I was asking for the postponement where it would look like a sign of weakness. (Laugh) All these people out here, we're negotiating and David Lawrence looks at me and says, "Joe, why don't we just say that as chairman, I am going to put off my report until tomorrow night?"

AR: Wow.

JR: I said, "Well, Governor, I have no way of preventing that." And that--so that was put off until the following night. No, until the following day. Now that night, we worked the whole--The administration pressure was really terrible, at this stage. It was absolutely--I've never seen anything like this. They told--Brown told Verna Campton of California that her husband wouldn't get a judgeship if she didn't leave us, and the Secretary of the Army told us, the guy from the Canal Zone, that he would lose his job if he didn't leave us. I've never had such back-breaking pressure, and this was breaking. And here I was trying to do this job and then a guy comes running to me and says, "You've lost your own delegation. They're going to vote to leave the Freedom Party." And I said this couldn't be true. And the guy showed me the roll vote and I said "it all depends on one fellow and I'm going to go see him." And that was Jay Turner who--he was--the man who came up to me was right with Turner, who's the head of the labor movement of the District of Columbia. With Turner, they would've had a majority because he had about 3 votes, either way he went. And I rushed off to see Turner because the blow to have my own delegation going. And I paid no attention. They were all a little angry with me because I had never seen them.

But how could I? I wasn't getting but about 2 or 3 hours of sleep as it was.

AR: You were head of the delegation?

JR: No, I wasn't the head of the delegation. But I had run the campaign that got the delegation. I was--Mr. F. Joseph Donahue was the president of the delegation. I think I had some leadership in it, because of having been the campaign manager of the group that was elected and I was the chairman of the party at this moment. I was the chairman of the Democratic Party of the district. To that degree I was the head of it. But I hadn't had time to do it. I just hadn't had time for that and I heard this terrible report that they, the president's crowd, had gotten to our delegation. And they had a majority. Well, we even had government employees on it; we had commissioners on it. But they had a way of putting the squeeze on us. So I found Jay. I went in to see him, and I said, "Jay, look, this is a very important thing to me and it all depends on you. If you're--if they got you, they can call a meeting and vote it down. If you're with me, then they won't even have the guts to call a meeting. Joe, I'm . . . And so, you know there are a lot of people you really have gratitude to. And he's one of the people I really have gratitude to because I'd have looked so sick if they could have carried it. I mean that's how ugly the Johnsons were. They were using any tactics to discredit you. But they realized I hadn't fear. And all the Humphrey boys were doing this, too. Not Hubert himself, but all his staff who were very close to the DC delegation because this was the same group that had run with Humphrey in '60 against--here in the district when Humphrey was running delegates for president. And this was his Humphrey group. So between the Johnson crowd and the Humphrey crowd, they had really given this a working over. But without Turner they couldn't do it. And Turner said, "You have my proxy." So I told the guy who had brought me this sad news what had happened and let the word back. And they never even called a meeting on me. So it was alright and I had my own delegation. But that just shows you the degree; how hard they were working. Well, Monday night we fought on to hold our. . . Oh! Monday night there was a convention session. And I was on the floor of the convention trying to round up speakers for the Tuesday night thing. And I kept saying we had the 11 and 8 which was the truth. And they questioned the truth of this 11 and 8 at this moment and on the offer that we had been made and even against the Allman proposal. I still had 11 and 8, even against the Allman proposal--see, nothing had happened. There was no meeting. It was still Monday night and the same parliamentary situation, that is, as it had been that Sunday afternoon when we adjourned. What-do-you-call-it's committee, uh, Mondale's committee, consisted of Mondale, Diggs, a fellow from Iowa, who's name I have trouble with now, uh, Sherwin Markman, or something like that, or Sherman Markwin, or something like

that, who will come into this picture a little later. He was the 3rd, and then there were 2 southerners. There were 2 southerners, Mondale, Diggs, and Sherwin we'll call him, Sherman we'll call him for want of a better word. And they had meetings, and I had to attend some of these meetings. Two of them, admits everything else, because they were trying to negotiate with me and with others, and nothing much came out of that. And then after I had been with them for several hours Monday night, and had been back at the hotel, I went back to the Humphrey headquarters again and asked how the vice-presidency thing was coming. Humphrey didn't know. And he really said, he said "At this stage, honestly I'm so tired of it, I honestly don't care too much anymore. It's just--

AR: Humphrey said that?

JR: Yeah. He said I'm so tired of it all I'm never at ease. And I just said, "Hubert, you got to give us some more. You got to give it some more if you don't want to get beat." Course, I'm just talking through my hat now, by this time although I've got the 11 and 8. When I almost lose my own delegation in a city where the majority are Negroes, I begin to wonder what the roll call will show. But I don't show this to anybody but my own friends or my own family, but this time I'm beginning to wonder. As I walked around that floor Monday night, I was beginning to wonder. As I was trying to get speakers, one after another they--the big shots didn't want to speak for us. They said, "Oh, I'll vote for you." I began to wonder really whether I really could pull it off anymore. So I left Humphrey's, I guess it must have been at 5-6 o'clock, and I went home for a couple of hours. I got up and went to the church just sort of automatically. I didn't know where to go. I just sort of wandered out to the church, just in a sort of a daze. This was about 1 o'clock and just as Aaron always does, they're singing and cheering and everything. And we sang a little bit. And Aaron calls on me and I don't know what happened. I was in a church, I guess, and I was just physically exhausted and I decided to make a speech for tolerance. And it just came out. I said I think something's going to happen. We're going to have a meeting at 2 o'clock and I'm going to be made an offer and I haven't the vaguest idea what's in it. Some people have said that this is true. It's absolutely true; some people had said because Reuther was at the convention. Reuther had just gotten to the convention and he and Humphrey and all the big shots, Lawrence and Mondale were all meeting, that I knew what they were doing. It isn't true, they didn't consult me, as you'll find out later on. But I did know--I knew they were meeting. I knew there were goings-on. And I made a plea for tolerance. I made a plea for Verna Campton although I didn't mention her because they told me she had to leave us. I made a plea for the fellow from Guam--from the canal zone, who told me he had to leave but then didn't. He didn't

take his name off. He changed his mind and said, "Oh the hell with my job." And I made a plea for tolerance; I made a plea for tolerance for Hubert Humphrey who they felt wasn't supporting them, but who I felt was doing all he could. But who I understood. I made a plea for people to understand each other and not have bitterness come out of this. Because there was going to be--I said, "We are within 12 hours a settlement now." I don't know whether; I honestly don't know why I did that. But I just knew that I wanted to explain that we shouldn't have hatred come out of what was a great effort. We had made a great impact and if we went to the floor, if they offered us nothing, we were going to the floor. If we won, fine. If we lost, let's not hate. And I sat down and I didn't know exactly what the reaction was going to be. And I got the biggest hand I ever gotten in my life from the delegates. This was obviously how they felt at that particular moment and then Ella Baker got up, and I never got it in my whole life like this. I've never had--I never got it in the face like this in my whole life. She said, "I don't care about people getting twenty thousand dollar a year judgeships--referring to Verna Campion--and don't care about some professor losing his job. I don't care about traitors like Humphrey deserting their liberal trend. And she turned on me and she just cut me to ribbons. She had an argument that she cared only about poor people, oppressed people, and implied that I didn't care about the poor and oppressed. She made--it was a--what are you gonna say? If you're going to get it, might as well get it from an expert as from a poor one. And I got it from an expert. She just cut me up there. And as I say, I don't know to this day whether I'm sorry I did it. I did what I--as I said, I don't even know what even impelled me to make that speech. I think, as I look back on it, I'm rather proud of it because I think I really believed that that was the right attitude to take at that particular moment. At any rate, I suddenly looked at my watch and it was going on one o'clock. And I hadn't had anything to eat in 2 days and I just needed something. I needed a drink and I needed to get ready for this 2 o'clock fight. So I said, after just a little more talking, I just made a short very quick rebuttle to Miss Baker, that I didn't agree with her. But that she had just as much a right to say it as I had a right to say it. I was going forth to fight now and I hoped I had their full support and I got another terrific hand. Even though she had gotten a terrific hand for cutting me up. It showed these people were so divided and they were wonderful people, but it showed that when--I left everybody was putting their hands on me and everything. It was allright. I left feeling allright. I went and somebody gave me a shot of booze outside this thing. And I got myself a hot dog and I went inside the meeting. It was 2 o'clock and I went in the meeting there, and Charlie Diggs came in--he was on the subcommittee. He said "Joe, you are to call this number. Walter Reuther." And I said, "Why, I'm not leaving this room unless there's a promise of adjournment." So Diggs and I went together

to Lawrence, who said "Yes Joe, I know all about this. You go ahead and call, we will wait til you get back." I then went and took the famous phone call, which had been in the press downstairs where the television cameras were. They had the television cameras on the floor of the balcony to the auditorium. There were 3 floors. There was the ground floor where the auditorium was--where the delegates were. Then there was the floor where the balcony is and also where the television was. It wasn't just on the floor, this is for things where the meetings were. Then on the 3rd floor was where the meeting room where the credentials was. And I went down to the 2nd floor where all the television was. And I went to a pay phone. I went in and closed the door and went in the pay phone. I dialed it. And Walter got on the phone and said the decision had been made. I said, "What is it?" He said, "This is the decision: They are going to exclude the Mississippi people unless they take an oath which they said they won't take. So they're being excluded. They're going to give you 2 delegates so you've won that. They're going to give you a pledge that they'll never seat lily-white delegates again. So you've won this." He said, "This is a tremendous victory. And I want you to take it."

AR: Why did Reuther call? Why was Reuther chosen to be the liason?

JR: To call me?

AR: Uh-huh.

JR: Because I was general counsel for the United Automobile Workers and I was being threatened with this jack. So, I mean, I don't have to be told, although I was told, I don't have to be told. So I said, "Now I want to make my position perfectly clear. I, too, think it is a great proposal, but I don't accept it. I don't accept anything without talking to Aaron Henry." And he said, "Well, we're meeting with Henry, and Moses and King--Martin Luther King--in about 5 or 10 minutes." And I said, "Well, I want to come to your meeting, but I don't want to come--I don't want any credentials meeting!" He said, "I want you to go to the credentials committee meeting and accept this proposal." And I said, "I am not going to do it. I will do nothing until I talk to Aaron Henry." I said, "This whole convention has been run on an agreement between Aaron and me that we won't do anything without talking to one another. And I tell you this, I'll bet you anything you want that Aaron Henry won't take your proposal without talking to me." "Well," I said, "now look. You can have it either way you want." He got very tough about your job. I said alright, forget that. Let's talk now. We're equals now, let's forget about that. We're equals. I'm telling you that if you want to straighten this out, you will get me an adjournment of the Lawrence Committee, so that I can come to your meeting so then I can come back and make the proposal to make it unanimous after Aaron Henry tells me that he agrees

with it. He said, "I will get you the adjournment." I come out, and here I've got to talk to 300 reporters who want to know what happened. They said, well--the first question--right on live television--they said, "Who was it?" So I said it was a pretty girl and turned and went right up the stairs. They kept chasing him but the guard kept him from following all the way into the credentials room. So I told Lawrence what had happened and that we wanted the adjournment. I have got my orders to go ahead. You'll have to get it from the White House. He said, "I can't give you an adjournment." But he said, "The committee is coming up those stairs in a couple of minutes--the sub-committee--ready for its reports. They have direct contact and maybe they could give it to you. I said, Look, Governor, what I want is an opportunity to make this unanimous, but I can't do this--and I said, "I not only cannot make this unanimous--I'm going to oppose it until I can talk to Aaron Henry." I ran down the steps and I caught these people in the landing as they were coming up. The Sub-committee, headed by Mondale and Vanlik. I explained what had happened and I said I wanted an adjournment just long enough so I can go to the other meeting. Now it was getting late, must have been about 2:30, quarter to 3. I said, "Let's make it for 5 and we'll have a unanimous thing going in if Aaron agrees," as I believe he will because this really had become, this was more than a lot of them were thinking they could get. Course, I don't even know about the Sunday night meeting where this is better than they had said they had taken so I thought probably this would be acceptable. So Fritz said--Mondale says, "Of course. No problem at all" and this little punk Sherman whose exact name you'll have to get, but he works at the White House so it shouldn't be too hard to get--

AR: Sherman Markum, I believe.

JR: Sherman Markum.

AR: That's his name, and I've got skunk written after it!

JR: You remember that from our previous meeting. Well, that little skunk who greets me over at the White House on occasion as the long-lost friend and I don't think I am very good at long lost friends that have been long lost but were not friends, I said to--He said exactly Ruether's words. He must have been with Reuther when he made his phone call because he said, "A decision has been made. There will be further delay." I looked at him. Here's Mondale. I said, OK. He's on the committee. Mondale's chairman; am I crazy? Mondale says, "Well, I guess that's it Joe." Markum was again a direct transmission line from the higher authorities and they went in and there was nothing I could do. I kept waiting that maybe a phone call would come from somewhere as a result of Ruether, but Ruether got in another meeting and never made this--the call. Well, I'm in a meeting. I really believe I've made a

great victory and I have got to say it's no good and this is a terrible spot to be in but it couldn't be helped. So I went in. Fritz Mondale made the report to the subcommittee, a unanimous--no, I don't know that two Southern, I guess never did accept it, but they didn't oppose it or something, I guess, but Diggs and the Negro congressman from Michigan and Markum and Fritz Mondale, a lovely liberal attorney-general from Minnesota makes this most magnificent presentation and each time he would turn to me sort of as the great victory you had won, and here I am not able to acknowledge what I want to. When he finished, I got up and Mr. Lawrence this time recognized me first, as he rightly should have. I said this had created quite a dilemma for us. We wanted some time to talk, we wanted to talk among ourselves and among the Freedom Party. Well, before I started to speak, I thought to myself, I know that we can no longer win on the floor. In other words, they had given enough now so that from now on we looked like the greedy--they had given enough and as I heard Mondale I could think of his speech from the rostrum about how much--how far they had gone towards us. And they hadn't gone towards us. It made it a terrible blunder which I saw fight away when they suggested Aaron Henry and King as the delegates instead of Aaron and Fanny Lou as the delegates. I could see that right away that they made a blunder here but that would not have been enough of a blunder to keep the people from adopting this. I mean, this would have been adopted ten to one, this proposal. At the time--

AR: Were there any people there, at the credentials meeting? Was it open with--

JR: No, it was absolutely closed.

AR: Then you were the only one?

JR: No, well Mrs. Green, Allman, I mean--

AR: But she was only the closest one to the scene.

JR: Yes, I was the only one with direct connections with the Freedom Party. And at the same time caucuses are going on. The Administration--as soon as we got into a meeting and it was closed, they started caucus, they had New York in caucus, California and they all were adopting this subcommittee proposal while we were going on, so we could win. The question was what--I mean this was the maximum we could get. The question was what tactics do you use to make it look best? I thought to make it look best we join in it but I can't do that without talking to Aaron Henry so otherwise I would have joined in it so I make this plea for delay. I couldn't get it. You know how it happens in a mob psychology and after all 100 people calling "Vote, Vote, Vote, Vote" from all around the room. I said, "Gentlemen, I'm at least entitled to the

did courtesy of the floor. The Governor gave me the floor, he didn't give it to you to hollar 'Vote, Vote, Vote' all around the room." I kept on arguing for the delay and all this actually is in transcript which you have a right to see. At any rate, we were--we lost on that, on the delay. We put it to vote. I didn't have but a handful. Then I asked for roll call.

AR: Of the Credentials Committee?

JR: Of the Credentials Committee. I would have asked for anything, I think I would have asked to go to the bathroom if it would have slowed it down cause I always figured the calls going to come from the White House, tell them to give me the delay these idiots. I figured Reuther's going to have a meeting with King and forgets all about this point. He's in that other meeting that I'll mention in a moment. Forget's about the whole thing, and never got me the time. So, then we put it to a vote. I can't get a roll call because that takes 20% to get a roll call and I don't have anything like 20% and, for the roll call, they use the house rules which is 20%. House of Representatives is 20% for roll call. So, then we have an oral vote. If you look around the room, I voted 'no' but this was just out of my promise to--but there was no recording of this, it was an oral vote. But I voted 'no' and a few people voted 'no' with me. At the same time this is going on, the meeting is held. Reuther, I think Humphrey, I am not sure, Martin Luther King, Ed King, Aaron Henry, Bob Moses, I don't know who else is there; that is the meeting going on simultaneously. That meeting got pretty rough but others you have that were at that meeting, so you don't need mine second hand--

AR: But except at that meeting, they wheeled in a television set that the thing had been accepted and no one knew who gave out the word--that the compromise had been accepted. And that's when Moses--

JR: I know, and that's when Bob Moses went off--but that is when Moses was just wrong, I mean but that is just the trick they played, there was no way--oh, wait a minute--well, anyway, you are right on that meeting.

AR: Was that Markum? No, that couldn't have been him. He was--

JR: He was in a meeting with me. I don't know who--well, the White House probably put that out. Anyway, he, Moses, did it and he did get infuriated, that is absolutely true. However, insofar as there was any suggestion that it was accepted that it was wrong in the following respects: A. I tried to get a postponement, I tried to get a roll call, and I voted 'no'. I don't know how I could have made that any clearer. But anyway, leaving that, the Reuther, King, King, Henry, Moses, that I said a moment ago, maybe Humphrey; then our meeting ended and the Freedom Party had this walkie talkie boy who

always tried to be with me to help me get information back and forth, and he was just a genius. When the credentials committee meeting ended, he got into the room when it ended, and I said, "Get Aaron Henry, I don't care how you do it," and he tried and tried but they couldn't raise Aaron but Aaron had a boy too. They couldn't raise him. So I was never able to talk to him. Well, I figured I'd better try to get some information, so I went on live television but they wouldn't give me the live television until they had given it to Mondale. Now it was fair enough again as you think of it. He is the majority on the minority, he had a right to it first. We both rushed for the television and everybody said, You know, let Mondale speak, so I had to stand aside and they took a long time and he may have been filibustering because he knew what I wanted to do, and then I got on and I said that we had not accepted this, that we had not had a meeting with the Freedom Party but that I wanted to make clear that a great step forward had been made; whether it was good enough would remain to be seen, but we had not accepted and I had, in fact, voted 'no', because I did not know what the position of the Freedom Party was. Then we all went out to the church--this was about 5 or 6 o'clock and I get there and I'm told King, that Martin Luther King is ready to speak for the compromise and that Ruskin will speak for the compromise and that Forman will speak for the compromise and I'm relieved by that.

AR: Who told you this was true?

JR: Well, it was true, I don't know who told me because each of them subsequently told me this themselves that I can't remember who told me this as they came in and I saw Aaron. He said he was for the compromise but he was going to see what the people wanted, and I asked King and he was going to see what the people wanted. I mean they were all being very cautious about it. So I was first, I reported on what it was. I thought it was a good thing but that it was up to them to decide whether to take it. I told them that they could not win a floor fight that night. I told them that for two reasons: In the first place, I said we do not have 11 left because the remainder had pulled out; we had about 8 that night. But the worst part was that the 8 were an awful ragtag thing--included the Panama Canal Zone, Guam, the District of Columbia--there was no power to the 8 that were left. Colorado and California was the power. Those were the only two states with power--and they don't have much--but it was now a motley crew. Both New Yorkers were against us, both Californians were against us; we had nothing from Michigan; we had no Negro delegates; there was just nothing left. But I--then Edith Green got up and attacked the compromise and Hubert, and then Bob Moses attacked everything and then King was denied the right to speak and it got to be an awful shambles in there. Well, we had to make a decision because the press wanted to

know what we were going to do that night so I asked the 8 delegates who were left to come into a little anty room in the church and I asked Dr. King to come and I asked if we could be left alone. Forman and Moses said 'no', they were not going to leave us alone and Moses did walk out but Forman stood at the end of the room and we were our 8 that were left.

AR: Wasn't Bill Hass there too?

JR: There were our 8 of our delegates. King, Abernathy and Ruskin standing in front of me, I was sitting here and Forman was standing there and I said to Dr. King, "I'd like your recommendation" and Byer said to me, "Joe, you've done something you will know someday was wrong. You tried to take your responsibility and give it to Dr. King and I almost burst into tears because he was right. I shouldn't have done that, and I was looking for help that I wasn't entitled to. He said, "Dr. King cannot take your responsibility, this is your responsibility--you and the other 7 delegates here, it is your responsibility to decide what you want to do." I said, "You are absolutely right, I stand corrected, I apologize if I have done something I shouldn't have, I'm a little tired" and everybody laughed at that because everybody was so exhausted they didn't know whether they were coming or going. We were trying to keep our heads, I knew Aaron and King both thought it was good but they couldn't in that hysteria out there that Moses had built up against the thing contrary to what he says his position was on Sunday night which I can only give hearsay testimony. Ed King and Aaron were simply taking no position and it was up to the 8 of us. Well, the eight of us agreed we would keep our deliberation secret and actually very little was done except--and I never said what was said inside except what I said on television three minutes later was true. We made a fast agreement and I went out on television and stated our position--this stand on the cameras outside the church. I said the following: We do not believe that the convention has done full equity to the Freedom Party. We believe that our delegation should have been seated in full. However, we believe the tremendous advance has been made. We avoided--Oh, already Paul Johnson had called the delegation home. We had already heard that while we were in the church so I said we have succeeded in ousting the other group--they're gone home, they have taken the first available transportation home, so we won fight number one. We got the token representation for the Freedom Party, In Henry and Reverend King, we have got a promise that this will never happen again because Mondale promises--there which I gathered in there and I'm using for the next year's fight, and so I said, "On the basis of this, we shall file a statement tonight which will show our views--namely, that we think more should have been done. We do not however, intend to seek a minority; to file a minority report. We shall file a statement and ask it to be included in the

records of this convention that not enough was done. While there was some questions and so forth, they kept asking me, "do you still have 11 and 8" and I said, "Gentlemen, I'm not going to answer that question, I am telling you what we plan to do." I didn't have 11 and 8 or anything like it. We had 8 out of 11 on the credentials and I don't know what states we had left and since we lost California and New York-- they just voted--and Michigan--all of these big states had voted to accept the compromise.

AR: When did Sanders rule that Guam and Canal Zone, etc. would not--could not have a vote, that it should be restricted to states--

JR: I don't know. I never heard that until this minute. I was counting on Guam and the Canal Zone we did not have it. Maybe they were using that because they knew we had Guam and the Canal Zone. I didn't realize this but I don't question it. This was just showing you another example that the kind of pressure that was used on us. Then Bob Moses kept trying to shove me away from the television thing so I said, Bob, just wait until I finish and then I kept saying what we were doing. We filed a statement that night, about 11 o'clock. We filed the statement saying exactly what I said on television. It was written by Web Barcenus who was either Green's assistant-- beautiful little statement for us and I signed it and we had 11 signatures. But we had three that told me they wouldn't file a minority report. They were willing to file a statement after--See, by 11 o'clock the credentials report has been accepted without any trouble by the--I don't even think anybody knew what was going on there was so much talk on the floor. Lawrence had read the reports in legal anguish and it was approved by voice vote, and about 2 or 3 hours later we filed the statement. Well, 3 of the people told me they couldn't go any farther when I went to them. I said I don't mean to cause anybody any trouble, just sign this to make it look a little better. We got eleven signatures on that and that's documented in the records. I'm sure that has to be--

AR: Well, in that meeting, did you go around and talk about the minority?

JR: The 8 of us.

AR: Uh-huh.

JR: There wasn't much said. It was pretty quick. But all I-- we agreed that that meeting would be confidential. All I will say here is that when I went out on television after I left that meeting, I said that we had unanimously agreed that we were not going to go any farther except that we would file a statement that night that we had not been given full

equity and the statement who say the good things that would happen and the bad things and we would file that statement. I said, that was the true statement that I made on television concurrently. Then, that night that happened that I took Aaron's credentials and Ed King's credentials back to the platform, I took it back and gave them back because I didn't want--No, it wasn't it was the next night I took them back, it was Wednesday night; that was Tuesday night on the floor, as a matter of fact, everybody was going around and congratulating us on the great victory and I said well, it's a great victory and I'm perfectly satisfied. Some of my cohorts aren't but that's the way the ball bounces but 95% of the people there thought it was a great victory for Civil Rights. I think it was a great victory for Civil Rights and I think the long range history of it will leave no doubt that it was a great victory for Civil Rights. The next day they had the meeting in the church. That is when King did speak and Ruskin spoke. That day King, Ruskin, Farmer, Wayne Morris and I all spoke in favor of it. They still voted against it but that morning I had a call from the White House saying would they take it if we had a roll call tonight on the vice--well, if we had a roll call tonight or tomorrow, neither the vice presidency or the presidency Freedom Party is called and can answer it, would that be enough to take it. So I went out to the church and we talked to Ed King and Aaron and I said would this help any and Ed King said, "Well, what about if we had two delegates and two alternates and we made Fanny Lou a delegate." I said, "If they will vote now, that they will take it, with two delegates and two alternates with Fanny Lou as a delegate, and you as her alternate, somebody as Aaron's alternate, will take that offer back and I think I can get it. But I'm not going back and then have them come back here once more and have it turned down." Well, Ed King walked around the room and talked to a couple of people and came back and said, "Let's drop it." You know, the hysteria had affected everybody and we can't do it so that's when I took Aaron and Ed King's credentials back to the floor of the--back to Levinthal. The reason I was especially careful about that, I didn't want some mix up where they would call the Freedom Party if they did have a roll call; then they didn't have a roll call, and there never was a roll call. They decided against it. So this didn't happen. Well, I guess that's the story. Do you have any more questions, I have about 15 more minutes if you have any more questions.

AR:Let's see.

AR: But Al has the unfinished chapter which is why Bob said it on Sunday night that he would take two. I got him much more than two and he called us all racist and won't speak to a white man. Maybe Bob can. Maybe Al can throw some light on the-- See, that's why I say; that's why, as far as I'm concerned,

your story is not finished until you talk to Al about the Sunday night meeting. It's the only part of it that I don't have some first-hand knowledge of.

AR: Could I go back and (pause)--uh--about the Southern--Johnson really believed that he would lose the whole thing without the South. If the South walked out like Sanders said they would.

JR: Yes, Johnson believed that. Walter Reuther told me in one of the phone calls here before the convention that he and Johnson had just talked in the morning and Johnson said, "I am going to lose the election because of the fact that I'm going to lose the South and then I am going to lose--" This was after Goldwater had been nominated, and I said, You know, it was just fantastic to me to believe that anybody in this whole country think^s Goldwater could be elected.