

**Theodore C. Sorensen Oral History Interview – JFK #5, 5/3/1964**  
Administrative Information

**Creator:** Theodore C. Sorensen  
**Interviewer:** Carl Kaysen  
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**Biographical Note**

Sorensen was staff assistant, speech writer to Senator John F. Kennedy (1953-1961) and Special Counsel to the President (1961-1964). This interview focuses on the Negro vote, civil rights demonstrations and legislation, and the 1963 March on Washington, among other issues.

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page 57, lines 8-26  
page 99, lines 6-33  
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page 110, lines 26-30

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Hackman Interviews - March 21, 1969 and  
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Theodore Sorensen

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Theodore C. Sorensen  
JFK #5

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Fifth Oral History Interview

with

THEODORE C. SORENSEN

May 3, 1964

By Carl Kaysen

For the John F. Kennedy Library

KAYSEN: When the President [John F. Kennedy] was campaigning did he count on winning a substantial share of Negro votes from the Republicans – more or a greater share than his Democratic predecessors had won?

SORENSEN: I think he was looking for a large share of the Negro vote. The Negro vote has, since Roosevelt [Franklin Delano Roosevelt], largely been Democratic – so it's difficult to say whether it was a larger share. Because of some discontent in the Negro community at that time, he was probably concerned about those Negroes who might simply stay at home and not vote for either party. He was aiming at that vote. In earlier years there had been some complaints about his own voting record, and of course he did need as many Southern votes as he could get – all of which might drive Negroes away from the Democratic ticket. He thought possibly the presence of Johnson [Lyndon B. Johnson] might have the same effect. For all those reasons he did conclude a quest for Negro votes as a top priority in his campaign.

KAYSEN: Yet it would be fair to say that his campaign speeches and other campaign efforts did seek to convey the idea that he would do more in this area than the Eisenhower [Dwight D. Eisenhower] Administration had done and, even further, that the Eisenhower Administration had not taken advantage of its opportunities to use the President's power to act in this area?

SORENSEN: That's right.

KAYSEN: When he came into office, did some set of circumstances – voting situation in Congress or something like that – cause him to reevaluate the extent to which he wisely could use his own powers in the civil rights area?

SORENSEN: There were two areas of action – legislative and executive. It was clear to him that he had no prospect for legislative action on any major civil rights campaign in 1961. The closeness of the vote on changing the House Rules Committee and the prospects of a long filibuster in the Senate which would interfere with the rest of his program made that clear. He had, moreover, been in contact with leaders in Negro organizations, and they also emphasized the desirability of concentrating on executive action.

He did a good deal in the executive action area – litigation with respect to voting rights under the bills previously passed by the Congress, some voluntary statements and acts of persuasion with respect to school desegregation, the efforts of the Justice Department to protect the Freedom Riders who tested the new desegregation of interstate transportation facilities by taking buses into the South. And he reconstituted and stepped up the activities of the Executive Committee on Fair Employment which was directed at ending discrimination in employment by federal contractors and in the federal agencies. He stressed with members of the Cabinet that he wanted more Negroes appointed to more and higher position in all of the departments and agencies of the government. And he related at one of the first Cabinet meetings how, sitting in the reviewing stands, he had noticed in the inaugural parade that there was not a single Negro in the honor guard units of the Coast Guard which marched in the parade. So that in all of these areas and others, a considerable effort had been made.

One area in which action was not taken was the issuance of an executive order on housing. Some study and preparation was made of that order during 1961. In the late fall of 1961, at Hyannis Port, we had a conference as to how to proceed on that matter. The legislative program which had been prepared for 1962 included elevating the Housing and Home Finance Agency to Cabinet level status as a Department of Urban Affairs. The head of the agency, Robert Weaver [Robert C. Weaver], was Negro. It was obvious that if this bill were to be passed, Weaver would assume the job and be the first Negro in the Cabinet. Inasmuch as it was clear that there would be some Southern opposition

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to this move, and inasmuch as we needed the support of the two leading housing Democrats in the Congress – both of whom were Alabamians, John Sparkman [John J. Sparkman] in the Senate and Albert Rains [Albert M. Rains] in the House – we decided that the President would say to them and to others that if we could get the Department of Urban Affairs bill, a housing order would not be signed while the Congress was in session, or before their reelection. If, on the other hand, they thought it was impossible to get the Department of Urban Affairs bill, we would feel obligated to go ahead with the housing order. This approach was followed.

It was decided to submit the Department of Urban Affairs bill. When it became hung up in the House Rules Committee, however, the President felt that it was foolish to continue to pretend that the issue was one of governmental organization when it was really one of the race of the man who would head the new department. He so stated at a press conference and resubmitted the Department of Urban Affairs as a reorganization plan. But that also failed in the Congress. He consequently felt that to use the housing order immediately would have the appearance of either spite or politics, and he consequently bided his time for an appropriate moment to issue the order. He still had some issues that had never been resolved. Those issues were resolved and the order was signed and announced on what the President thought was the most appropriate time – namely, the evening before Thanksgiving 1962 – and the announcement was sandwiched between the announcement of the withdrawal of IL 28's from the island of Cuba and some other major announcement. He underplayed it all the way.

KAYSEN:           What were the problems in drafting an executive order on housing that made it hard to decide just what you wanted to do?

SORENSEN:       They were basically problems of coverage: whether it would be retroactive, which raised all kinds of problems; whether it applied to all the various housing activities of government; whether it applied to those in which the government was only indirectly involved through mortgage guarantees and that sort of thing. It ended with the most troublesome problem being whether to extend coverage to housing which was built with bank loans. If we excluded all bank loans, we were excluding a very large portion of the new housing in this country.

On the other hand, there were two federal agencies involved. The saving and loan associations and the savings and loan banks

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came under more direct administration supervision through the Federal Home Loan Bank Board under Joe McMurray [Joseph P. McMurray]. That board was willing to go along with us, except they objected to being singled out because they felt that a good many builders would simply go to commercial banks instead of to the savings banks if one group was selected and not the other. The only way we had of reaching commercial banks was through the Federal Deposit Insurance Corporation [FDIC] which had nothing to do with housing loans but which could, nevertheless, we felt, proscribe a condition or standard for their guarantee of bank deposits. The difficulty was that we did not have control of the FDIC on which members were appointed for a stated term of years, and at that time, two out of the three members were unwilling to take this step.

We debated whether the President should stake his prestige and add to the legal confusion of the whole problem by ordering the FDIC to do so and possibly taking the whole matter into court, or simply ignoring that segment of the housing industry for the time being – at least until we had a firm control over the FDIC. Then arguing backwards, if we did that, the question was whether we should include the Home Loan Bank Board and the savings and loan mortgaged houses. And the President finally decided that we should make the order as broad as we were certain our writ would run and no further.

KAYSEN: On the decision not to try to push the FDIC into doing what they didn't want to do was the consideration that it didn't look clear enough that you could win the argument important?

SORENSEN: We weren't certain of winning the argument in court, and if we won it some years later, the entire housing order might have been suspended in the meantime so that we would have accomplished very little.

KASYEN: Now, during this period of proceeding as far and as fast as was possible by executive power within the constraints of the given situation, was the President himself in touch with Negro leaders and Negro organizations or was he delegating this job to others in the Administration?

SORENSEN: For the most part the President left it to the Attorney General [Robert F. Kennedy] and to the Assistant Attorney General for civil rights, Burke Marshall. He was always in some touch with them.

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KAYSEN: Was this a subject during this period in which there was a constant assessment of the wisdom of trying to do more, or was there a decision which, once made in the early stages of the Administration, ruled until a rather radical change in the situation led to a change in policy?

SORENSEN: I would say there was a fairly constant assessment. There were those who wanted the President to make bolder proposals to the Congress. He did, of course, propose – in his second year, I believe – a repeal of the poll tax and the literacy test requirements, both of which were impeding the Negroes' right to vote. And the poll tax effort was successful. The literacy bill, it became clear, could not pass without a filibuster and the outlasting of a filibuster, which no one wanted.

KAYSEN: This was before the 1962 election?

SORENSEN: That's right.

KAYSEN: Was it the President's judgment at this time that he might – depending on the results of the '62 election – be willing to try to face and face down a filibuster, or did he think that the situation wouldn't change substantially in that respect?

SORENSEN: I don't believe he had any desire to do that before 1962 – before the 1962 election.

KAYSEN: So that there was no prospect really that the next Congress would be less

likely to filibuster or more likely to impose cloture than the previous one?

SORENSEN: That was certainly not his planning in 1962, as far as I know.

KAYSEN: Now the public impression is that it was Oxford [Oxford Campus, University of Mississippi] which changed the Administration's calculations on what had to be done and what could be done on civil rights. Is that correct?

SORENSEN: No, I would say Oxford was a more isolated incident in 1962. It was the events in Birmingham and the University of Alabama in 1963 which changed the atmosphere of the country as a whole.

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KAYSEN: So that if Oxford, so to speak, hadn't been followed by Birmingham, the President would not have changed his evaluation of what had to be done?

SORENSEN: I think that is probably correct. I wouldn't say he wouldn't have changed at all. He would not have come forward – at the time he did come forward – with the program which he presented, which was a very extensive one. In February of 1963 he did present to the Congress a very comprehensive civil rights message, and that was widely hailed by civil rights leaders. It called for extensive improvements in the voting legislation, it called for aid to school districts which are desegregated, it spoke in terms about other civil rights aims which were generally very favorable and much stronger than any President had previously done. But the real change occurred between the time of that message in February of 1963 – which seemed at the time to be a very far-reaching civil rights message and the first civil rights message which President Kennedy had sent up – and June of 1963 when he sent up an ever more far-reaching civil rights message.

KAYSEN: The present civil rights bill on which action is going forward.

SORENSEN: That's correct.

KAYSEN: Let me go back to Oxford, though, for a moment. How quickly was the decision made that federal troops had to be sent to Oxford? Was it made as soon as it was clear that the governor would block the admission of the student to the university?

SORENSEN: No. The original hope was – after nearly a week of public and private statements on both sides – the original hope was that U.S. marshals would be sufficient. And there had been an agreement by the governor that If Meredith [James H. Meredith], who was the Negro applicant at the University of Mississippi,

could be quickly and quietly placed on the campus on a Sunday, with the aid of a good many armed marshals, that he would then do nothing more than make a bitter speech about it.

KAYSEN: And this was a negotiation between Governor Barnett [Ross R. Barnett] and the President, or between Governor Barnett and the Attorney General?

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SORENSEN: Governor Barnett and the Attorney General.

KAYSEN: And just to underline this, what he wanted was – what Barnett wanted was a show of force to which he had to succumb, essentially?

SORENSEN: That's right.

KAYSEN: What caused the breaking of the agreement?

SORENSEN: The agreement required for its success active efforts by the state police to maintain peace and to protect Meredith and the marshals, who were a comparatively small band. That protection was not forthcoming. The mob of both students and outsiders increased steadily, and it finally became necessary to call, first, for the local national guard which had been federalized, and then for outside army troops.

KAYSEN: When this became necessary did the President essentially assume personal direction of the operation?

SORENSEN: Oh yes, he had been assuming direction of it that entire week.

KAYSEN: That is from the time the marshals first came down?

SORENSEN: Yes. On that Sunday, the White House was more or less the command headquarters. The President, the Attorney General, Burke Marshall were there. The President delivered a speech to the nation explaining the necessity for his intervention and his hopes for a peaceful solution. But even after the speech, the students – few of whom, I daresay, had heard the speech – and the mob of townspeople, outsiders, and so on became more and more violent, attacked the marshals, tried to break into the quarters where Meredith was staying. And it became necessary, as I say, first to call up the national guardsmen who had been federalized in advance as a warning, and then the army troops. The President was very disheartened by the events that night. He felt that the two lives which were lost were a terrible needless tragedy. He felt that the band of marshals had been badly abused, that Governor Barnett and the state police had completely failed in their duty to uphold the local law and order, and that the army had been distressingly slow in responding to his orders.

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KAYSEN: Did this last impression lead to any changes in the army organization for this task?

SORENSEN: I don't know. I do know the President ordered an investigation in which the timing of each phone call which he and the Attorney General and Burke Marshall had placed to the Defense Department was logged, and the response time was measured, and the reasons given for each time lapse were demanded.

KAYSEN: But you don't know what happened as a result of that?

SORENSEN: No.

KAYSEN: To what extent did this sequence of events lead the President to anticipate that it might be repeated in Alabama, for example?

SORENSEN: The Mississippi case was, of course, the out come of a long series of lawsuits in federal court which had not been initiated by the federal government but which the federal government was obligated to enforce. The Alabama cases had already been started in the lower courts at that time, so that there was some discussion that night about the fact that in 1963 we would be faced with the same situation in Alabama.

KAYSEN: Then or later were a different set of preparations initiated in order to be able to deal with these situations if they should arise again?

SORENSEN: Yes, I think a much greater effort was made to keep the situation more under control in Alabama. A good deal of work was done with members of the clergy, newspaper editors, business and professional men, to try to impress upon them the responsibilities which they had and the consequences of more violence such as had taken place in Mississippi. And I'm sure that procedures with respect to the national guard and the army were streamlined.

KAYSEN: In the contempt proceedings, or the contempt trial of Governor Barnett, did the federal government play much part?

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SORENSEN: Oh yes, the federal government was the other party, so to speak, and the court was very angry at Governor Barnett...

KAYSEN: They tried to interject in a contempt case. It's technically the court and not the other party which is...

SORENSEN: Yes. By other party, I didn't mean they were the initiating party, but they were the – I guess actually they were one of the other parties, and Meredith's lawyers, the NAACP [National Association for the Advancement of Colored People], were also a party and were asked to submit their ideas. Frequently in such causes, I would think the government's position would be controlling, and I think in this case it did have a good deal of influence. The President did not want Barnett sentenced to a prison term, which he felt would only make a martyr of him – particularly if it required federal marshals backed by troops to arrest Barnett – but on the other hand, Burke Marshall, who was in constant contact with the court, said the court was extremely angry with Barnett, felt that he had deceived them and insulted them, and was not sure that he could influence any degree of charity on their part.

KAYSEN: These were not judges any one of whom had been appointed by President Kennedy?

SORENSEN: I think one or two of them had been.

KAYSEN: Was there much discussion of this proposition between those involved, or did everyone share from the start the judgment that it would be unwise to put the governor in jail?

SORENSEN: This was not a major decision but I know it was discussed on one or two occasions by the President, the Attorney General, Burke Marshall and myself.

KAYSEN: Perhaps we've talked enough about the details of Mississippi, and you would say it would be a fair conclusion to put this incident in some relation to the scope and strength of the civil rights message at the beginning of '63?

SORENSEN: Well, it would be hard to say what the relation was. In many ways this was an isolated incident. It was the first of its kind. The basic issue was not desegregation but enforcement of the court order. The President stressed

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that in his statements on the subject. He stressed, and I'm sure felt, that if the powers of the President and the federal government were to mean anything, similar action would have to be taken in enforcement of any court order on any subject.

KAYSEN: To the extent that the events registered the extent of Southern passions in this respect, was not this incident revelatory for the nature of what was coming ahead? Or wasn't it thought that this did measure the strength of Southern passion?

SORENSEN: I haven't thought about it in those terms – I'm not sure that anyone else did. Mississippi was regarded as the worst of the Southern states in many ways, and I think the President always knew that the Southern passion against any civil rights legislation would be very strong, and it did not require this incident to show him that.

KAYSEN: No, perhaps what I'm saying is that the incident may have shown something about the way Southern authorities would behave in relation to the passions which, as you say rightly, we all knew were present. The question is how would they express themselves, and perhaps this may have been a warning sign in that respect.

SORENSEN: What it did show the President – on which he remarked on more than one occasion – was that history depends upon who writes it. The Mississippi legislature prepared a carefully documented report of the affair which placed all of the blame on the marshals. A local court in Mississippi indicted the chief United States marshal and others as having caused all of the difficulty. These and other similar incidents convinced the President that historians who rely on local documents may not be getting a true history, and he specifically wondered aloud whether all that he had been taught and all that he had believed about the evils of reconstruction were really true.

KAYSEN: Did he ever turn to his local historian to get an answer to that question?

SORENSEN: No, not that I know of.

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KAYSEN: To go over to the next round of events which changed the President's attitude. If I understand your answers rightly, Ted, you're saying that what the President did in February was pretty much what he would have done whether or not there would have been this incident in Birmingham, and that he had some thoughts and ideas of moving forward on civil rights in '63 in any event. Is that correct?

SORENSEN: That is correct.

KAYSEN: So we have the February message, we have the legislative inaction for some period of time on most of this, then we have the situation in Birmingham. How would you put the reassessment that events in Birmingham caused? Would you say this made the President decide he couldn't wait to do things which previously he had thought he could wait to do?

SORENSEN: By chance there was a situation developing in Birmingham and a simultaneous situation developing at the University of Alabama and a simultaneous situation developing in the public schools of Huntsville and one other Alabama city. So that Alabama became the focal point of the civil rights struggle.

The various actions in Birmingham raised the temperature on both sides of the struggle and of the nation as a whole. There was the bombing of a Negro motel and business establishment, there were repeated pictures of Negro demonstrators being set upon by police dogs, or being driven back by fire hoses or electric cattle prods. All of this resulted in considerable pressure for federal action. The fact was that there was very little federal action which could be taken. People said, "Call out the federal troops as you did in Mississippi." But the federal troops in Mississippi had been called out to enforce a court order, and there was no court order being violated in Alabama, except on some occasions by Negroes who were violating court orders against parading without a permit. People would say, "Pass the legislation." But the legislation that was then pending had little or nothing to do with what the Negroes were demonstrating about, and in no event would protect them against the repressive actions of either the public authorities or private mobs.

KAYSEN: On that point, wasn't it the case that the previous civil rights legislation had included some provisions with respect to the actions of local authorities in denying rights to the citizens?

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SORENSEN: Which previous?

KAYSEN: The '57. Wasn't there a provision there about local authorities using power to deny citizens their constitutional right?

SORENSEN: I don't recall that. There was a provision in the old civil rights statutes of the 1870's...

KAYSEN: Well this may be a confusion, I'm sorry. I thought there was something in the Johnson-Eisenhower bill.

SORENSEN: I don't believe so. In any event there....Requiring a permit for a parade is not regarded as denying anybody a constitutional right, and it is difficult, in the absence of insurrection, for the federal government to take over the local job of maintaining law and order. The President was very much opposed to sending federal troops to Birmingham, although he alerted them and had them standing by in readiness, simply because he thought the federal troops would end up limiting the Negroes and preventing them from breaking the law as much and more than they did the whites.

However, the emotions which were aroused by the situation had only a small relationship to there actual facts. The pictures of the dogs, in particular, the President felt, had aroused the country to the necessity for further action. Demonstrations were taking place all through the country – the North as well as the South – and the postman who had been on some kind of demonstration march of his own had been killed. And the situation was rapidly reaching a boil which the President felt the federal government should not permit if it was to lead and not be swamped. The Attorney General consequently felt that additional legislation

should be recommended by the federal government, and we began to formulate rough outlines of what that legislation would cover.

Finally, by June 11, the admission of two Negroes to the University of Alabama, having been halted by Governor Wallace [George C. Wallace] standing in the doorway, required the presence of Alabama national guardsmen – no federal troops in this instance. And the President decided that afternoon, using that incident more or less as a spring board, to talk to the nation about civil rights, about his legislative proposals.

KAYSEN:           So that the actual speech and the final formulation of the legislative proposals was made relatively rapidly?

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SORENSEN:        The speech was written very rapidly. The legislative proposals had not been fully decided upon at the time of the speech, at least in any detail; nor were they sent to the Congress for about two weeks after the speech. There were other items which we wished to work out.

KAYSEN:           Just going back a little in time, you say that the Attorney General recommended and the President agreed that they new legislation was necessary. Did the President also think that there were other things that were necessary to be done, as well as recommending new legislation which it was obvious would take a long time and a great deal of trouble to get enacted?

SORENSEN:        Yes. He and the Attorney General began a series of meetings with the heads of chain stores, theatres, restaurants, and so on, asking their cooperation in voluntarily desegregating and easing the problem. He also was in touch with Negro leaders and also addressed the United States conference of mayors, asking them to take related action in their own communities.

KAYSEN:           To what extent did the President take the initiative in talking to religious leaders and getting them active in this area?

SORENSEN:        It was after the civil rights legislation had been sent to the Congress, I believe, that he began to schedule a series of meetings with almost every influential group. He had meetings with religious leaders, meetings with leaders of the bar, he had meetings with leaders of women's organizations, and labor leaders, business leaders.

KAYSEN:           These were directed primarily at support for the legislation?

SORENSEN:        No. That was, on the contrary, only an incidental part of these meetings. They were directed at obtaining cooperation in solving this problem nationally.

KAYSEN: Outside the federal legislative framework?

SORENSEN: Yes.

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KAYSEN: Was this the only example that you know of what you might call large scale Presidential lobbying of this type in the Administration?

SORENSEN: I don't think there was any precedent for that kind of series of meetings.

KAYSEN: And from the middle of the summer on, this was quite an extensive activity which took up a great deal of time on the President's and Attorney General's part?

SORENSEN: Yes, it did. The President reached a point where he felt perhaps it would be better to divert attention from civil rights for a while. It was obvious that the legislation was going to take a long time. He did not want either the hopes or frustrations to be raised to such a high pitch that there would be more tension than anything else. His own successful trip to Europe was one of the events which helped divert the attention of the nation (as well as his own). So did his efforts in the railroad strike. There were other matters in the Congress. And I think the summer proved to be less explosive than many had feared it would be.

KAYSEN: When the President came to the decision that he wanted to send up a bill as well as take these actions to move voluntary change along at a faster pace, did he express, to your knowledge, any evaluation of the prospects? How did he expect – what kind of success did he expect to have with the bill, in general with this activity?

SORENSEN: He was neither optimistic nor pessimistic about the bill. He felt it was something which had to be done: that a national crisis required it; that the Congress had no other choice; that Republican support – which would be necessary in order to pass the bill in either house – would be forthcoming because the Republicans would not have any other real choice. He recognized the difficulties which lay ahead. He cautioned Negro leaders against demonstrations which would aggravate the situation. He deemphasized in his message his recommendation on fair employment practices to indicate that he would settle for that in a separate bill if the Congress preferred. And in all of his conversations, he understated – as he did in everything else – his arguments for and belief in the bill and its objectives.

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KAYSEN: In both coming to this decision and in shaping the specifics of the recommendation in the bill, how widely did the President consult, first,

within the executive branch? You've mentioned – and I think we all know – that the Attorney General and his assistant for civil rights, Burke Marshall, the Deputy Attorney General [Nicholas deB. Katzenbach], some of the White House staff people were in it. Who else in the executive branch was involved in these consultations in any significant way?

SORENSEN: The Vice President had a major role in the formulation of the legislation. He was at first concerned about what we were doing and what we were sending up. He felt that perhaps he had not been adequately consulted, that it was going to be politically harmful to the Administration in the Senate and in the South. At the same time, he had strong views as to progress which should be made in this area. Therefore, the President asked me to consult with him as to what he did want done, and it was largely through his suggestions that the message was broadened to include certain economic measures – which, of course, applied not only to Negroes but to all those who were under trained or undereducated.

KAYSEN: To what extent had the Vice President been consulted on the issue, should we have a bill?

SORENSEN: I don't know. I can't remember now whether he was in...I can't remember really what meeting we said precisely, "We are going to have a bill." It gradually evolved as these events were evolving. There were many meetings. The Vice President took part in most of those meetings. He was present at most of those meetings.

KAYSEN: So just to be a little more specific about this. You can't necessarily say that at some specific occasion when the President clearly made up his mind – if there ever was such a specific occasion – that the Vice President was present, was asked, or expressed an opinion? On the other hand, you would say that in this process of asking what can be done, the Vice President was present during most of this discussion – the discussion that finally issued in a bill among other things.

SORENSEN: Yes.

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KAYSEN: Were there any other members of the Cabinet or prominent members of the sub-Cabinet who were important in this process or have we covered it?

SORENSEN: The Secretary of Labor [W. Willard Wirtz] was consulted on both executive and legislative actions respecting job training and employment. The entire civil rights problem was discussed at Cabinet meetings, and the Secretary of State [Dean Rusk] stressed that on the basis of his travels abroad that he thought it would be immensely helpful in improving the posture of the United States around the

world. The Secretary of Health, Education, and Welfare [Anthony J. Celebrezze] was more negative, as I recall, based upon his experience with ethnic groups when he was mayor of Cleveland. The Secretary of Commerce [Luther H. Hodges] – who was the only real Southerner in the Cabinet – made no comment at Cabinet meetings, and subsequently refused to support the bill by appearing on Capitol Hill in favor of it. I can't recall that any other members of the Cabinet played any particularly important role.

KAYSEN: No special effort in this area to use the position of the Republican members or non-partisan, non-Democratic members of the Cabinet – the Secretary of Defense [Robert S. McNamara], Treasury [C. Douglas Dillon], Mr. McCone [John A. McCone].

SORENSEN: I do not now so recall. I know the President had an exchange of letters and, I believe, a personal visit from General Eisenhower on the subject.

KAYSEN: Was there any significant item in this – the exchange of letters shows whatever there was?

SORENSEN: Yes.

KAYSEN: What about the legislative consultations before the decision was made to send up a bill? How much consultation was there with legislative leaders?

SORENSEN: Again my memory is hazy, but my recollection is that the President decided he would send up a bill and discussed that decision with legislative leaders of both parties, more in terms of what the bill would contain than in terms of whether any bill should go up at all. All of this was made somewhat easier by the fact that there was already a bill up

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there. He was anxious to obtain bipartisan support for the bill so that he had separate meetings with some of the Republican leaders, and I know he sent me to review the bill – in its more or less final form – with Senator Dirksen [Everett M. Dirksen], who he wanted to be a co-sponsor in the Senate.

KAYSEN: Was Senator Dirksen helpful and cooperative in this venture?

SORENSEN: He did not agree with all of the bill, but he was not bitter in his opposition. At that time fair employment practices was not part of the new Administration bill since a fair employment practices bill was already before the Congress. He was opposed to the public accommodations section. The suggestions which he made on the other sections were, for the most part, either acceptable to us or our answers were acceptable to him.

KAYSEN: Was there a similar consultation with the Republicans in the House?

SORENSEN: I do not know. Congressman Halleck [Charles A. Halleck] had not, had never, shown really the same interest, as I recall.

KAYSEN: Can you comment – or perhaps this is a later situation – on the circumstances which gave Congressman McCulloch [William M. McCulloch] such a key role in the bill in the House?

SORENSEN: I recall many discussions from the very beginning which indicated that Congressman McCulloch was the key. He was the logical leader on the Republican side as the ranking member of the House Judiciary Committee. He was not a liberal Republican leader. He came from an area far more rural than urban. He had great seniority. He had earned the respect of his colleagues – so that it was felt that a bill which had his support would be a bill which Halleck and Company would find it difficult to repudiate. Great efforts were made from the beginning by the Attorney General and the Deputy Attorney General, Mr. Katzenbach, to consult with Mr. McCulloch and also to have the private organizations meet with him to obtain his support.

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KAYSEN: So this in a way was a substitute for the positive support of Halleck which had been withheld?

SORENSEN: That's correct.

KAYSEN: Did the President at any time during this period – just before he decided to send up a bill or when the bill was up – make any effort to consult with Southern senators on what might be possible, or what kind of compromise they would accept or whether they would be willing to vote against the bill but not filibuster – that range of issues?

SORENSEN: His two chief links to the Southern senators were the Vice President and Senator Smathers [George A. Smathers]. Both of them were taking many soundings. The President himself may have talked with Senator Russell [Richard B. Russell] on at least one occasion, but I don't believe he ever met with a group of Southerners.

KAYSEN: Did Senator Smathers take on any commitment to be helpful in respect to this bill – to moderate or to limit the extent of Southern opposition?

SORENSEN: No, Senator Smathers doesn't take on commitments, but I believe he fairly represented each side to the other.

KAYSEN: A considerable service if it's done fairly. Were there any developments in

the Congress after the bill was sent up and before the President's death that were noteworthy?

SORENSEN: The most noteworthy was the struggle within the House Judiciary Committee over the wording of the bill. An effort was made by liberal members of the subcommittee which considered the bill to strengthen it considerably: to join the fair employment practices section, and, in addition, to load it down with practically every other proposal which had ever been made in the civil rights field, and to go far beyond the original proposals of the President – in some cases unduly complicating the Administration of the bill, in most cases simply making it extremely obnoxious to the Southerners and, for that matter, to a good part of the country, including the more moderate Republicans.

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The difficulty was that these additions to the bill made it almost impossible to get a rule from the House Rules Committee, almost impossible to get a majority from the House of Representatives, almost impossible – if not impossible – to get enough votes to stop a filibuster in the Senate and enough votes to pass in the Senate. For this reason many Southern members of the Judiciary Committee and subcommittee welcomed these amendments making the bill more obnoxious and, in fact, on occasion voted for them because they knew that this development spelled defeat for the bill.

The Attorney General consequently had to bear the brunt of arguing with the full Judiciary Committee against these strengthening amendments which subjected him to the accusations of being anti-civil rights and all the rest, and putting considerable pressure on Mr. Celler [Emanuel Celler] – who I believe had helped sponsor the subcommittee amendments – repudiate them in favor of a compromise which lay between the two but much closer to the original Administration bill, a compromise bill which had Congressman McCulloch's support.

KAYSEN: To what extent was the President and Attorney General in touch with the leaders of the Negro civil rights organizations through this process in trying to explain to them what they were doing? To what extent did they think this was not a useful enterprise?

SORENSEN: There was a good deal of negotiation along those lines. Larry O'Brien [Lawrence F. O'Brien], the President's legislative liaison man, conducted some I know. The Attorney General, Nick Katzenbach, and Burke Marshall conducted some. Nick and Larry probably bore the brunt of the legislative tactical work. I should add something about the origin of these various sections in the civil rights bill because – to use an Uncle Tom phrase – it grew like Topsy.

The original bill contemplated by the President did not contain an FEPC [Fair Employment Practices Committee] section. Instead, in the lengthy section of his message on employment and economic opportunity – which was really aimed, as I say, at upgrading the skills and opportunity of all those denied them – a final item was a reference to the bill

already pending in the Congress reiterating this Administration's previously expressed support for that kind of legislation. Secretary of Labor Goldberg [Arthur J. Goldberg] had vaguely done that in testimony in 1961. The FEPC bill was then later joined with the Administration bill as

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a whole. A section on a voluntary community relations conciliation service was added at the suggestion of the Vice President, who had favored such a proposal at the time of the 1957 bill. One of the last additions to the bill after it had already been prepared was the bill enabling a cutoff of federal aid to programs which engaged in discrimination. And this suggestion, as I recall, resulted from the President's consultations with Republican leaders.

The public accommodations section, of course, had been in the new bill from the beginning. The President's feeling was that it would be relatively non-controversial compared to other parts of the bill, although I recall stating to him in conference that I thought it would be the section most desired by the Negro community and most resented by the Southerners.

KAYSEN: I take it the sections on giving the federal government the right to initiate legal action in various circumstances were also in the bill from the beginning.

SORENSEN: That's correct. We had some drafting problems and differences on those – they were more technical than anything else.

KAYSEN: Would you say in a certain sense these two sets of sections – the public accommodations sections and those sections that gave the Attorney General power in various situations to act in behalf of Negro complainants – were the two...[Interruption] At any time in the course of these discussions on the civil rights bill or on the other activities which the President was undertaking in this field, did the President ever philosophize about the extent to which he expected the bill to change the situation or the pace at which he expected changing habits and behavior in this field?

SORENSEN: I think he thought the bill would have considerable impact, that it would help to moderate and channel the energies of those who were resorting to demonstrations to advance the cause of civil rights. He thought it might help transfer some of that effort from the streets to the courts, and he hoped that its passage would, at least in time, persuade most Americans that this was simply the right way of going about things.

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He never expected to eliminate all prejudice, but he did hope to implant in most minds the idea which he thought was basic to this legislation and to this Administration effort: namely, that every individual ought to have a fair chance.

KAYSEN: Did the President ever express a view on the behavior in their spheres of private responsibility and power of business leadership and other community leaders in this area?

SORENSEN: I think he contacted most of them though this series of meetings – whether he had individual contacts or not, I don't know. I'm sure some Administration leaders did in the case of U.S. Steel because of its dominant role in Birmingham.

KAYSEN: But – I take it the purpose of this, however, was exhortatory in general – to some extent this would shape what was said?

SORENSEN: Exhortatory as compared with what?

KAYSEN: Evaluative.

SORENSEN: I don't know.

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KAYSEN: There have been commentators – people without political responsibility – who have said that, in fact, the leaders of big companies have much more power in the South that they've ever used, that local politicians have much less power, and that if these people were willing to use their power, change could proceed much more rapidly than it does. This is really the proposition I was asking about – whether the President had ever expressed his own judgment on this or had ever put this judgment, either as his or as an outsider's judgment, to the leaders involved?

SORENSEN: I don't know. Not precisely in those words, but I think he shared the feeling that they could do much more than they were doing, and conveyed that message to them.

KAYSEN: What was the original reaction of the President and the Attorney General to the news that a large march was being planned on Washington in the summer of 1963 by the civil rights leaders?

SORENSEN: I believe the President's reaction was one of skepticism and concern. He was skeptical that it would do much good for the civil rights movement, and he was concerned that it might appear to be a very heavy-handed pressure-type tactic which would alienate some members of the Congress and others around the country – particularly when there was talk in the early days about sit-ins in the galleries

of the House and the Senate and that sort of thing. Also, he was practical enough to know that there was no prospect of the legislation even to be out of the House Judiciary Committee by that time so that those who said the purpose of the march was to obtain final passage of the bill at that time were engaged in an idle speculation. So he kept hands off but continued to maintain liaison with the civil rights organizations through Burke Marshall and others.

The President had from the beginning expressed some concern about civil rights demonstrations. He knew that the Negro had every reason to be resentful and impatient, but he also felt that lawless attacks on the part of Negro demonstrators would only breed more lawlessness. And probably no paragraph in the message which he sent to the Congress was reworded more often – in consultation the night before it went up between the President and

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the Attorney General – than the paragraph which referred in general terms to civil rights demonstrations and acts of violence, which, of course, he would not condone on either side, and urged permitting the legislation to seek its own course.

KAYSEN:           Returning now to the march on Washington. At some point it was clear that the Administration began to cooperate with the leaders of the march and to try to guide them in deciding what they did and how they did it. At what point was the decision made that this was the way to deal with the problem? How did that come about?

SORENSEN:       Well, I don't know how much guidance there was in the sense of anything beyond cooperating in terms of police protection and traffic control, the provision of permits and facilities and all the rest. The group sponsoring the march had broadened out of course. Walter Reuther [Walter P. Reuther] became one of the leading sponsors, and his relations with the President had always been very good, and he became one of the chief liaison men. But the President's feeling was that he did not want to address the march group itself because his political intuition told him that the chances of getting an adverse reaction from that kind of crowd are very great. And particularly if he made remarks – as a President must make his remarks – conform to a nationwide audience rather than to an immediate audience. For the same reason he did not want to meet with the leaders of the march ahead of time since he felt that if they should present him with a list of demands he could not meet, the march would then turn into an anti-Kennedy protest. He did agree to meet with them at the close of their day, and that turned out to be very successful.

KAYSEN:           To your knowledge was the decision which shaped the physical program of the march and made it focus on the Lincoln Memorial – rather than, as we suggested in an earlier stage of the discussion, on the Capitol – was that a decision that was taken within the groups leading the march, or was it suggested to them by people in the government?

SORENSEN:       I don't know.

KAYSEN: Because I think this was a crucial change in plan from the point of view of what the effects of the march were on Washington opinion and opinion in the country.

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SORENSEN: I think that's true, and I think it's very possible that the White House and the Department of Justice played a role in that, but I do not know what the role was.

KAYSEN: In the event, then, would it be fair to say that the favorable results of the march and the relative absence of unfavorable incidents or reactions were surprising and gratifying to the President? That things turned out a lot better than....

SORENSEN: Yes, I think he was very pleased with the way they turned out.

KAYSEN: Were there other demonstrations or incidents of demonstrations – sit-ins, picketing and so on – which the President felt he had to deal with, or did he feel that these were matters in relation to which he could do no more than express some general views which he did express a number of times?

SORENSEN: He was involved from time to time in trying to alleviate some of those disputes. In Cambridge, Maryland, he had the Attorney General play a meditative role and, I believe, met briefly himself with leaders. At Birmingham he had Burke Marshall play a similar role. He was followed by Earl Blaik and Kenneth Royall. In an earlier year – I think one of the early outbreaks of civil rights demonstrations he tried to get the Negro leadership and the city council of Albany, Georgia, to meet and work out their problems. For the most part, these were matters which were operated directly out of the Department of Justice – rarely, and then only indirectly, by the President.

KAYSEN: Toward the end of '63, are you aware of any assessment that the President had made about the net effect of the bill – its progress and lack of progress, the demonstrations, and the whole change in the civil rights situation – the net effect these things would have on the electoral prospects of the party in the next year?

SORENSEN: Yes, he talked about that from time to time. He was convinced that his strong advocacy of a civil rights position would hurt him more than it would help him.

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There was very little margin for help. Most of the liberal minded, white voters who supported it were already for him and would support him against any Republican in 1964 anyway. The Negroes were already overwhelmingly Democratic, and even if an additional 10 per cent of the Negro vote could be picked up – which would put it up into exceedingly high proportions – they were only 10 per cent of the population, and a very low registered part of the population at that. So there were not many voters to be picked up there.

On the other hand, he knew that racial prejudice was not confined to the South and that a good many voters would be antagonistic in the North and West. But he nevertheless had some confidence that passage of the bill would cool off both sides, that inaction would have a higher political penalty than action, and that other issues in the South and elsewhere would decide the election on a national level, although he sympathized with mayors and school board members whom, he felt, were more likely to receive the direct brunt of a civil rights backlash on either side.

[END OF INTERVIEW]

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