

Dean Rusk Oral History Collection

Rusk EE: Part 1 of 3

Dean Rusk interviewed by Richard Rusk and J. Ralph Beard

circa 1985

The complete interview also includes Rusk FF: Part 2; Rusk GG: Part 3.

RICHARD RUSK: The question is civil rights. Rich Rusk [speaking]. Tom will likely be here. Dean Ralph Beard of the University of Georgia School of Law will also be doing the interviewing. Ralph, maybe we can start with you. Anyone interested in this tape can be referred to other sections and other tapes dealing with my dad's boyhood, growing up in the South, and material of that nature.

BEAIRD: I might start by commenting briefly on where I was in the 1960's, early 1960's. I was serving as Associate General Counsel to the National Labor Relations Board during the early part of the Kennedy Administration and then as Associate Solicitor to the Department of Labor during the latter part and some part of the Johnson Administration.

DEAN RUSK: Was Arthur Goldberg Secretary of Labor?

BEAIRD: Arthur Goldberg was Secretary of Labor during part of the time that I was there, and [William] Willard Wirtz was Secretary during part of the time. One of the things, Mr. Rusk, that always intrigued me, based on my years of service in government, was the role that the various officers play in developing domestic legislation. I'm very familiar with the OMB [Office of Management and Budget] role, clearing for the President legislation in determining whether or not it was consistent with the program of the President, and so forth. I was wondering, since you were Secretary of State during a period when the major civil rights legislation of the twentieth century was passed--I'm speaking primarily now of the Civil Rights Act of 1964 dealing with public accommodations, employment, and so forth--what position did the Secretary of State or the State Department take on this domestic legislation and how active were you in connection with it?

DEAN RUSK: When I became President Kennedy's Secretary of State, it was very clear that we had problems of almost crisis proportions on these civil rights matters, as it affected our relations with other nations. It's hard now to remember, but in the early sixties, a black ambassador coming to Washington to represent his country, did not know where he could have lunch or dinner, except in another embassy. The best restaurants and hotels were closed to him. The principal private club, the Metropolitan Club, did not admit black guests.

RICHARD RUSK: That's a social club?

DEAN RUSK: Private, city social club. Even the more liberal Cosmos Club did not have black members at that time. Such a black ambassador had great difficulty in finding office space or living accommodations for himself and his staff. He would drive his family down to a Maryland

beach on a Saturday afternoon, and be turned away. His wife would frequently ask a State Department wife to go to the supermarket with her to avoid incidents. When such an ambassador wanted to visit other parts of the country, very often we would send a State Department officer on ahead of time to make all the arrangements to try to avoid incidents of one kind or another. I had one of these ambassadors sit in my office once and ask, "Mr. Secretary, where can I get a haircut?" And it was painful for me not to be able to tell him. I did tell him that he could have his hair cut where I had mine cut; a little room just beyond the door there. And anytime he wanted to come in, there would be a barber there within sixty seconds.

RICHARD RUSK: Did he take advantage of your offer?

DEAN RUSK: No. This was a critically important matter to us. The State Department began to work on this from the very beginning in the sixties. We got hold of the real estate board there in Washington, D.C. and we got hold of the hotel association, things like that, and tried to move. But we soon learned what we really knew to begin with, and that is you cannot handle these civil rights issues on the basis of diplomatic passports. You can't extend them just to those with diplomatic passports, and that the entire community and nation had to straighten these things out if diplomatic representation was to be conducted in the proper fashion. So these considerations put the State Department into a very active role in support of the Civil Rights Acts of the sixties, beginning with '64, which dealt with public accommodations, then the Voting Rights Act and other bills which were introduced from time to time. Apart from these public issues, we had to give some thought to our own situation in the Department of State. We had relatively few blacks in the foreign service. We had very few black ambassadors. I'm not sure that we had any at the beginning of the sixties. I would have to check that. It was clear that looking at the State Department as a whole, the positions in the State Department for blacks were relatively junior in character, even menial, such as messengers. And we had a job to do within our own building. We appointed [G.] Mennen Williams, who was then assistant secretary of African affairs, as the Equal Opportunity Officer for the Department. He was very energetic in trying to open up these things in the Department. Now, there were some problems--

RICHARD RUSK: Pop, you've had more people working with Mennen Williams, I think Carl [Thomas] Rowan was one. Was that a regular group or committee that you created back in those years?

DEAN RUSK: There was a little group put together. I wouldn't call it officially a task force or thing of that sort. But Mennen Williams had someone in each bureau that was his contact point/liason on these equal opportunity possibilities.

RICHARD RUSK: Do you remember who the other members were?

DEAN RUSK: No, I don't. We also tried to upgrade the blacks in the Department. When I got there, there had been a messenger who had been there for many years in the Secretary's office, and he had reached his limit as far as pay was concerned. But he had been unable to pass a Civil Service examination for a higher rating. I urged him to consider going to night school to prepare himself for that. But he didn't want to do that. He had a family. So finally I cheated on the Civil Service Commission a little bit by simply appointing him a personal assistant to me. And that

opened up the possibility for an increase in pay. But his duties remained the same. But that didn't work out too well because after a few months with his new rank, he came in to see me one day in a considerable state of agitation. He said, "Isn't Mr. So-and-So out there a personal assistant to you?" I said, "Yes, Mr. So-and-So being a foreign service officer." "Isn't Mr. So-and-So a personal assistant?" "Yes." "Am I your personal assistant?" "Yes." He said, "Well, then why is it that you take them on your foreign trips and you never take me?" Well, I needed a messenger on my foreign trips not at all. But he became so agitated about this that we had to transfer him to the protocol office, where ever since he has been handling the baggage for visiting dignitaries coming to the United States. Then I tried to break through this idea that the menial jobs were reserved for blacks by appointing a white messenger in the Department. But that didn't work because the black messengers just froze him out. Like the pullman porters; they just wouldn't have it. And that experiment didn't work very well.

RICHARD RUSK: You had limited success with your--

DEAN RUSK: So there are always problems connected with trying to move forward on some of these issues. We did notice, to our pain, that almost none of the black graduates of predominantly black institutions passed the Foreign Service Exam. There were blacks from Berkeley, and Harvard, and other places who passed it, but not from the predominantly black institutions. So I asked a group to study the Foreign Service Exam to see if it was culturally biased to produce that result.

RICHARD RUSK: Was this back in the days before that question was raised about American educational testing?

DEAN RUSK: Well, this group concluded that it was not a question of cultural bias so much as the lack of practice which these blacks from predominantly black institutions had in taking such examinations. That it was simply a lack of skill in going through that particular kind of exercise.

RICHARD RUSK: The Foreign Service Exam is a real--

DEAN RUSK: --It's a tough exam, a tough exam. Because sixteen thousand will take it and about three thousand will pass it. It's tough because one of the purposes of the exam is to reduce the number from sixteen thousand to three thousand. Ralph, I forget, maybe you will remember since you were very much involved in Title 7 of the Civil Rights Act of '64. I forget what kind of interdepartmental machinery we had at that time to take a look at this. Do you recall?

BEAIRD: Yes. I can tell you what the Labor Department did, and I think this was pervasive throughout the federal establishment. We had task forces working on collecting information data, a factual base to support the Title 7 provisions. We had to take a look to see in each department how effective the secretary or the department head had been in bringing about equal opportunity. The story was much the same as it was in the State Department, even in the Labor Department, which had been viewed by some as sort of a settlement house or a community house environment. I remember Secretary Wirtz at that time, since Secretary Goldberg had just been appointed to the Supreme Court and had taken a position there, asked a group of us to quietly try to determine the extent to which discrimination was practiced by unions in the south; particularly

in the construction industry. We came up with a report, and it was a very delicate operation which showed that there was probably as much discrimination in the building trades in the north and the west as there was in the South. Black journeymen had pretty well established a niche for themselves in such trades as brick trades, cement trades, and so forth. But it showed that in many areas of the country, there were separate and locals for blacks and whites. And in Washington, D.C., for example, we discovered the black locals did the residential and small work and the major white construction companies did the commercial, lucrative work, so to speak. But a product of all of that, I think, was first the executive order applying to government contracting, setting conditions under which the government would do business. And, then, the foundation for the Civil Rights Act of 1964, which President Johnson got through. But, as one who lived in Washington for many years, it's hard to think back that only twenty-five years ago everything was segregated.

DEAN RUSK: Yes. In our national capital particularly.

BEAIRD: But some of the problems that you mentioned, how to make that adjustment, how to do it in a humane, constructive way, was really a difficult thing. It's amazing looking back at the progress that has been made in just twenty-five years. I can't imagine any other period in history when so much social change took place in a relatively peaceful way. That's one of the great things. But I know you testified considerably before, particularly I think, the Senate--

DEAN RUSK: The Senate Judiciary Committee.

BEAIRD: On these matters. Did it give you any problem with the members of the Senate taking this position on domestic legislation with the tradition of nonpolitical activity on the part of the State Department?

DEAN RUSK: In my testimony on the Civil Rights Act, I tried to point out that the passage of such an act would have a very good and important effect on our foreign relations. I said that was the secondary reason that we should move ahead because that was the right thing to do in terms of the nature of our own society and what we ourselves ought to do. I had an altercation with Senator Strom Thurmond at that time during that testimony. As a matter of fact, many of us did not look upon the Civil Rights Act as being a partisan matter. Indeed, we had support from people across the aisle: Senator Jacob Javits, for example, people like that. There were Republicans who gave us some strong help. As a matter of fact, if one looks back on it, it was old, conservative Republican Everett Dirksen of Illinois, the Minority Leader in the Senate, who finally turned the key which unlocked the passage to those Civil Rights acts. He played a key role there because he could come up with fifteen or twenty votes in the Senate on whatever.

There are two or three little anecdotes which throw some light on this. We sent Carl Rowan to Finland, one of our first black appointments. And I remember talking to a couple of African foreign ministers who advised us not to concentrate on sending black ambassadors to black Africa. He said you ought to send black ambassadors to other parts of the world and send to Africa a considerable mixture of white and black. I think what he had in mind was he felt that the blacks were still second-class citizens in the United States. And they did not want second-class ambassadors, signifying that we looked upon them as a second-class country. We had that same

problem with Chiang Kai-shek during World War II when we found it very difficult to get him to accept black soldiers in the American forces in China.

Then, a little later in the sixties, I remember talking to two or three black foreign ministers about why it was that the United States had not been called before the United Nations to have our ears soundly boxed for these problems we were having in our country. They gave me almost the same answer. They said, "The United States has no monopoly on such problems. Wherever you find different races and religions and cultural backgrounds, you have problems. We have them in our countries. But is stimulating to us is to see that the President, the Congress, and the people of the United States are now moving to find better answers in these matters than they had found before." They said this is very important, not just because of what happens in the United States, but because of the light that it might throw upon some of their own problems. Given the circumstances in Washington in the early sixties, it's amazing that we did not run into more difficulty in the United Nations.

Now we also had a similar problem as the host country to the United Nations in New York. There were delegates coming in from all over the world, of every race, religion, color, and so forth. The city of New York appointed a committee of hospitality to work on the reception of the United Nations delegates of New York and the treatment they were to be given while there. But there were a number of incidents involving race in New York City, involving U.N. delegates. The situation in New York itself was pretty highly segregated at that time. I remember in the early sixties when the General Assembly of the U.N. opened, a number of people in Harlem would put on Arab robes and come downtown and go to all the best restaurants.

BEAIRD: I think I've heard you tell a story two or three times which I think probably typifies the situation in the early sixties. I understand Carl Rowan lived not too far from you and your neighborhood, and he was out mowing his lawn one day without a shirt. How about telling the story?

DEAN RUSK: He was out there mowing his lawn one Saturday morning. A big Cadillac drove up to the curb and a dignified lady let her window down and put her head out the window and said, "Oh, boy? Boy? What are they paying you to mow this grass?" He turned to her and said, "Well, as a matter of fact, the lady of the house here lets me sleep with her." Off drove the Cadillac!

RICHARD RUSK: Hey, Pop, for the benefit of those interested in Dean Rusk and civil rights, there is an oral history tape with Carl Rowan. And [they] should be referred to that, and also the Senate testimony that my dad gave for the Senate Judiciary Committee, 88th Congress, Senate Bill 1732. The date of that testimony was July 10, 1963. That is a very necessary piece of documentation to deal with this. Pop, getting back, if you will, to that hearing just for a moment. I dug this copy of the hearing out, the testimony out, and Dean Beaird has a copy of it. Warren Cohen calls it one of your finest moments, the testimony you gave before that Senate Committee. The New York Times editorialized about you and your testimony the very next day. Other newspaper articles, which we have copies of, say to the effect that that was really a major piece of testimony on your part. Do you care to go back and just describe the setting? We know what you said; we have a copy of that. But just the environment, the atmosphere in that committee

room: the reaction to your remarks from say people, like Lyndon Johnson, your colleagues. Evidently that was really a dramatic piece of work.

DEAN RUSK: Let me say that in the State Department it was well understood by everybody that the time had come to make something happen in this field, that we just could not go on as we were. So we had no problem with wrestling with each other in the State Department over these matters. And since I was the senior cabinet officer, they asked me to lead off the cabinet testimony. I think [Robert] Bobby [Francis] Kennedy, the Attorney General, came in later. But I led off the cabinet testimony.

RICHARD RUSK: At the President's suggestion?

DEAN RUSK: Yes. That was the plan that had been worked out.

RICHARD RUSK: Did you get any coaching from him on what it was that he wanted you to say?

DEAN RUSK: No. Let me say that as far as John F. Kennedy was concerned, his concern for civil rights came out of his intellect. He simply understood with his mind that these things had to be done. Remember that there were these major problems around the country: admissions to state universities, for example. I won't go over all of those. There was that very dramatic march on Washington with 200,000 people there at the Lincoln Memorial to hear Martin Luther King Jr. I was not directly involved. As a matter of fact, I think it's important for me to say that, although I'm sure Kennedy had meetings with others where I was not present about that, I was present when he decided that he, himself, would not go down to the Lincoln Memorial to take part in that demonstration. I had the impression at the time that he made that decision because he did not feel that he should horn in on their show and try to seem to capture it or diminish it in any way by his presence. I think he felt that they should have a chance to express themselves fully. My son, David [Patrick Rusk], came back from California and was one of the ushers at that demonstration, helping maintain order and providing facilities and things of that sort. He was so impressed by the experience that he remained on to take a job in the Office of the National Urban League there in Washington, D.C. I think there was a pretty strong feeling in the Congress, other than from some of the key southerners, that we just had to move. We had some bold and daring editors in the south who were moving opinion on this matter. People like [Ralph Emerson] McGill of the Atlanta Constitution. There were others. So the time had simply come.

RICHARD RUSK: Do you recall the congressional vote on the Civil Rights Bill of '64? Was it a close thing?

BEAIRD: The important thing at the time on that was invoking cloture. My recollection is in the Senate, in order to end debate, I think you had to have at that time two-thirds. It's now been dropped to less than that.

DEAN RUSK: Sixty percent.

BEAIRD: But the role that Everett Dirksen played, as your dad pointed out, was a very key role.

He engineered the vote on cloture. And the vote on cloture though came only after extended debate. No one can say that they were cut off. I guess it was probably one of the most debated bills in the history. One thing that I recall about it: we had to go up to the labor board to get supplemental appropriation, or to request supplemental appropriation, during the time this bill was being considered. The rule in the Congress is while there is debate of this nature, no committee can hold a hearing without the committee chairman being present. And it just happened that the chairman of this particular committee was Senator Carl [Trumbull] Hayden of Arizona. And [Joseph] Lister Hill was the subcommittee chairman. But at that time Senator Hayden was well up in years and Senator Hill almost had to lead him in. And the fact ran [through] the hearing that Senator Hayden was there and we got our supplemental. There was (an) air of electricity that prevailed. Everyone knew that something dramatic and historic was taking place in the Capitol.

DEAN RUSK: One of the opponents on that bill was Senator Richard [Brevard] Russell of Georgia. I, myself, believe that his opposition was based, not just on the traditional notions of prejudice that we were familiar with in the south, but that he was strongly motivated by a constitutional point. He did not really believe that this was something that the federal government ought to get into. Anyhow, with Senator Russell in opposition you had a formidable opponent. He was one of the most skillful parliamentarians the Senate has ever seen. And he had a backlog of eighteen or twenty votes or so on this matter that he could deliver just by calling for them, among other southern senators primarily. It was not easy to get that Voting Rights Bill through. We worked on it very hard.

RICHARD RUSK: Again, do you recall the circumstances of the hearing itself--immediate reaction to your testimony? What did Lyndon Johnson tell you, for example? What about your colleagues unfamiliar with some of the editorial comment?

DEAN RUSK: Lyndon Johnson knew the Senate better than the Senate knew itself. He knew more about individual senators and what made them tick, and what their sources of support were back home, and so forth, than almost anybody else. So he was an expert at counting noses in the Senate on a matter of this sort. He did throw himself into the parliamentary process--the parliamentary maneuverings--that went on to get this Civil Rights Bill through. He once said, "I never knew a senator who was trying to do the wrong thing." Well now, that was probably a little generous on his part, but nevertheless he respected the Senate as an institution. He understood its workings and he understood individual senators. He knew exactly where his problems were. But his expertise on the Senate was a very handy thing for us at that time.

BEAIRD: One of the questions that Strom Thurmond asked you, which I thought was an interesting one, in essence it was this: How can you support antidiscrimination domestically and not be willing to attach such a proviso to the Foreign Aid Bill? I thought you handled that rather well. Do you recall what it was that you said?

DEAN RUSK: I don't remember any detail, but these two things were very different in terms of our objectives and our own responsibilities. The principal point on which I had a brush with him was over his protests of these civil rights demonstrations. I told him that if I were a black I would be demonstrating, and he was horrified at that.

RICHARD RUSK: Was it after this hearing that you had your little exchange with Strom Thurmond?

DEAN RUSK: On the way out of the hearing room that day, Strom Thurmond came up to me and said, "Mr. Secretary, I'm not sure that you understood my questions. I'm from South Carolina." I said, "Senator, I understood your questions. I'm from Georgia." The interesting thing is that Senator Strom Thurmond and a lot of these other senators, Governor George [Corley] Wallace also, have changed their minds since those days. The mood of the country, the politics of the problem, changed dramatically. Martin Luther King, with whom I have had some differences on other matters, rendered a great service in keeping the civil rights movement largely peaceful in method. Had that movement turned violent, there would have been all hell to pay in this country. You probably would have wound up with martial law and all sorts of things had the blacks really turned violent at that time. It was very important for the blacks to know that things were on the move, that changes were being made, that the promised land was indeed over the hill or around the corner.

BEAIRD: What do you think the role of the State Department and the Secretaries of State should be with respect to--

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BEGINNING OF SIDE 2

DEAN RUSK: I think it's appropriate for the United States to put forward its deepest commitments as a nation in this field of individual liberty. It is the basis on which we were founded, and for us to use our influence quietly, with compassion in trying to help improve the civil rights situation in other countries. I have some problem about how far one goes in linking civil rights questions to the rest of the world's agenda. Because if you look around the world you will find only thirty or so constitutional democracies where civil rights are in pretty good shape. There are 130 other nations out there which have varying degrees of dictatorship where many civil rights are in disrepair. If we conditioned the rest of our foreign policy business on civil rights issues, that could be a self-selected path to isolation. We would steadily draw into this world of thirty constitutional democracies, but those other 130 nations are still out there. They are part of the world scene. They are part of the world in which we have to live. So I personally have preferred the use of persuasion and other diplomatic devices behind the scenes rather than public confrontation. On South Africa, for example, we came to a point very close to breaking relations with them when they became stubborn about receiving a black Foreign Service officer in our embassy in Pretoria. We just couldn't have that, and we pressed the matter and they relented.

RICHARD RUSK: Were you the one who assigned the black Foreign Service officer?

DEAN RUSK: I knew it was being done. I don't know whether I personally made that assignment myself. It was a normal and natural assignment. It was not something that was picked up to make a demonstration out of. But then, during the Vietnam war for a time we--Of course we had a lot of ships going around the Cape on the way to Vietnam, and for a time ships stopped off in Capetown for refueling and a bit of shore leave. But the South Africans would not accord to our black sailors, marines, the kind of treatment that we insisted Americans be given. So we moved to stop those port calls in Capetown and sent tankers along to refuel our ships at sea.

RICHARD RUSK: That was largely at the instigation of Carl Rowan, I think, who really brought that thing to a head within the Department.

DEAN RUSK: It's possible. It's possible.

RICHARD RUSK: Carl remembers that.

DEAN RUSK: Normally it would not come to my attention as a part of routine, what was happening then.

RICHARD RUSK: He remembers you backed him up substantially on that one.

DEAN RUSK: Right.

BEAIRD: What do you recall about the State Department's or the government's position on ratification of the Human Rights Convention?

DEAN RUSK: It's an irony that the United States, which puts itself forward as the citadel of freedom in the world, has ratified so few conventions in the field of human rights. We have not ratified even the Genocide Convention, which I, along with the then Solicitor General, presented to the Senate on behalf of Harry Truman in 1949. It still has not been given advice and consent by the Senate, even though every administration has asked for it and every few years the Senate Foreign Relations Committee sends the bill out to the floor with the recommendation that it be given advice and consent. But, almost every year they count noses behind the scenes and find they do not have the two-thirds vote necessary for advice and consent and they don't want to bring it up and have it voted down.

BEAIRD: Do you think part of that could be the operation of that Convention constitutionally throughout the country or do you think people have some concern about the impact of a Convention such as that becoming domestic law?

DEAN RUSK: Well I think that there were several reasons for opposition to these various--The United Nations Covenant on Civil and Political Rights, the United Nations Covenant on Economic and Social Rights not ratified; the Inter-American Treaty on Civil Rights not ratified by the United States.

RICHARD RUSK: Incidentally, Ralph, could you identify that Human Rights Convention? Do you remember the year it was put forth and exactly what was--?

BEAIRD: I don't remember the year, but it's been ratified by about eighty countries, I think.

DEAN RUSK: '63 or '64, I think.

BEAIRD: It simply provides--guarantees--basic human rights to citizens or to individuals.

DEAN RUSK: You see, Eleanor Roosevelt had served for a number of years as head of the U.N.'s Human Rights Commission. In that role she became the grandmother of the United Nations. She was really quite a person. She did that in the Truman administration. And she was the principal author of the Universal Declaration of Human Rights passed by the United Nations back during the Truman administration. At the time it was very clear in everyone's mind that that declaration was not to operate as law. It wasn't a treaty. It was not law. It would not be put to the Senate, and so forth. Since this was to be a declaration and not law, President Truman more or less gave Eleanor Roosevelt the lead. He more or less delegated the whole thing to her.

I remember at one time while they were still drafting the Universal Declaration of Human Rights a senator came in to complain to the President about some of the things Eleanor Roosevelt was doing. Truman looked at him and said, "Senator, how would you like to try to give an instruction to Eleanor Roosevelt?"

But anyhow, that was a far-ranging and ringing declaration of basic human rights. Yet we ourselves have not ratified these conventions. I think there is, Ralph, a constitutional point in the Genocide Convention because under it we would be expected, apparently, to make propaganda for genocide a prohibited act. Well that might bump into the First Amendment of our Constitution. I see no problem whatever in the Senate's giving advice and consent with a reservation simply saying that if there is any conflict between this treaty and the United States Constitution, the Constitution will prevail, just to clarify that point. When Jimmy Carter put these U.N. Covenants to the Senate, he sent them down there recommending about twenty-seven reservations, declarations, understandings, statements--just a hodgepodge of things. I personally would have had a preference for simply sending it down and suggesting two, well one reservation and one statement: the statement being that this Treaty undertakes the international obligations of the United States, but its operation as law within the United States would be in accordance with appropriate legislation adopted by the national and state legislatures--something of that sort. Then secondly, the reservation that if there are any conflicts between these treaties in the American Constitution, the Constitution would prevail--and just let it go at that.

RICHARD RUSK: Did you advise Jimmy Carter on that move of his?

DEAN RUSK: I advised some of his people, but he had negotiated out with the senators all these picky, picky kind of problems they found with these U.N. Covenants. In order to eliminate as much opposition as possible in the Senate he had picked up points from different senators and included them in his list of reservations and statements and whatever--a rather messy way to do it.

RICHARD RUSK: If I could follow that up with just a question on Jimmy Carter's emphasis on

human rights with regard to foreign affairs: Did you approve of the degree of enthusiasm with which he personally tried to tie human rights with these--

DEAN RUSK: Well I have already commented a bit on the subject of linking human rights matters with the rest of the world's business. Also, because of what I said earlier on this tape about the situation in our own national capital in the early sixties, I felt very strongly that we should avoid sanctimony in this field because we, ourselves, had not earned the right to be sanctimonious. There were times when I did not like our sending a twenty-seven-year-old Assistant Secretary of State, a young woman, around to other countries lecturing them on human rights when our own record is so recent and we still have a lot of unfinished business here. So a lot of it turns on style and so forth. I know that there are countries in which human rights are in a better position because of the continuous and steady influence of the United States. I prefer not to name them publicly, but for the moment I will just mention Brazil, South Korea, Republic of China, and Taiwan: a number of places where human rights matters were taken more seriously because of us. I would hope that we would continue to work at it that way.

BEAIRD: Do you think the black and some white leaders in the civil rights movement today that are attempting to bring about change in South Africa through protests at the South African Embassy in Washington, whether they are taking the right tack? Are they using the right technique, in your opinion, to accomplish that?

DEAN RUSK: I offer the back of my hand to people who try to stage sit-ins in the South African Embassy in Washington, and I very much regret that they have been members of Congress--at least Senator [Lowell Palmer] Weicker [Jr.] of Connecticut, who participated in that. It has taken us many centuries to establish the laws with respect to the protection of embassies and the immunity of diplomatic personnel. As the host government to the South African Embassy in Washington, we have a duty to protect that embassy. As a matter of fact, the District of Columbia has a municipal ordinance which keeps demonstrators at least five hundred feet away from foreign embassies as a part of the reciprocal protection of embassies that makes international life possible. Breaking relations with the Soviet Union is one thing. One could do that if one wanted to. But abusing their embassy is another.

As a matter of fact, this sounds harsh, but there's only a difference of degree that separates these sit-ins in Washington from these Iranians who abused our embassy in Tehran. We have to watch that. Go back and remember that the ancient city-states could send off an ambassador and have his dead body thrown back over the wall the next day. When nations declare war on each other they protect each other's embassies and diplomatic personnel and usually exchange them at the earliest convenient times through neutrals of some sort or another. I think there's another element in the South African problem that bothers me and I haven't been able to get very good answers on it. It's very easy for people outside of South Africa, including black leaders, to call for all sorts of drastic remedies against South Africa over apartheid. I would like to know more about what the blacks who live in South Africa think about these matters. I know that some of the black leaders in South Africa are opposed to economic boycotts on South Africa on the grounds that it would be the blacks who would suffer most and first and that maintaining these open channels of communications with the rest of the world is a contribution toward the improvement of the situation in South Africa. I'm very dubious about economic sanctions on South Africa

other than with respect to arms, which could be used for the suppression of local people. I think we need to be a little careful about this.

There is also another matter for which I will be criticized by some people. There are times when this problem seems to be more at the rhetorical level than at the action level; it is a problem of words more than it is action. For example, the overwhelming majority of blacks on the continent of Africa could force change in this situation if they were prepared to do it. Now a lot of their heads would get bashed because the white South Africans have a lot of power. But I remember having lunch once during the sixties with about a dozen black African foreign ministers. They were pressing me for American economic sanctions on South Africa. I said, "Well let's think about that. Under the U.N. Charter it is clear that it is contemplated that if economic sanctions were imposed that steps would be taken to alleviate the harshness of the impact of these sanctions on any particular country. So let's think of a United Nations sanctions fund. Let's start with \$100 million. Now the proportionate share of each of your countries sitting around this table would be the price of a Ford automobile. Would you people be prepared to make that contribution?" They just laughed at me. I negotiated for a while during the sixties between a group of black African foreign ministers and the South Africans on the basis of a formula which might be agreeable to both sides: Where the South Africans would acknowledge certain principles with which the blacks could live even though it would be recognized that the implementation of those principles would take considerable time. Well we got a formula that the black foreign ministers were willing to agree to, but at that point the white South Africans wouldn't even give them the words to work with and to live on. So nothing came of that. We've always known that during this enormous decolonization movement that followed World War II that the most difficult problems would remain for the end: Such things as Zimbabwe, former Rhodesia, the Portuguese territories, South Africa. We've not only seen this enormous transfer of power from colonial powers to independent nations, but we have seen the solution, such as it is, in Zimbabwe and in the Portuguese territories. In a sense, South Africa is a kind of remaining remnant of a process that's been going on all over the world since 1945.

RICHARD RUSK: Can you really fault the South African regime, in view of the fact that white folks there are a very distinct minority from refusing to make further progress toward racial integration, and in view of the fact that the rest of the African nations themselves have done such a poor job in general of adhering to democratic principles and respecting the rights of their own minority groups?

DEAN RUSK: Well, many wrongs don't make a right. I think there are some special complications about the South African problem. For example, I think historically the whites were the ones who really settled southern Africa and the blacks there moved in later from the north to take up jobs and settle down and so forth. Another thing is that the white South Africans do not have a mother country to which to return. Many people think of the Boers as Dutch. Well the Boers came from all over Europe, so there's no sense of a homeland there as it was true in, say, Rhodesia, or even Kenya. You can understand to an extent why the whites there circle the wagons and adopt this logger mentality and become very resistant to change. I think there are a lot of things they could do that would improve the situation.

BEAIRD: They have a, probably a, good prototype right next door in Zimbabwe. Five years

after the establishment of black majority rule there--I think there are something like 300,000-plus whites and seven or eight million blacks. How would you assess the situation there now as compared to, say, six or seven years ago, or eight or ten years ago, and as a prototype for South Africa?

DEAN RUSK: I think the situation in Zimbabwe has deteriorated significantly since independence. There is no longer a two- or multi-party system there in politics. It's a one-party system. For all practical purposes it's a dictatorship. And there is continuing pressure on the whites. Kenya came as close to a reconciliation between whites and blacks when Kenya became independent, largely through the leadership of President [Jomo] Kenyatta who has once been a Mau Mau. But he thought this ought to be effected in behalf of Kenya. There are tensions, and they will continue so long as different races are in direct contact with each other.

SCHOENBAUM: As Secretary of State, how were you called upon to deal with the problems of Ian Smith and U.D.I. [Unilateral Declaration of Independence] in Rhodesia and, for that matter, any other independence issues that came up?

DEAN RUSK: The British came to us and asked for our active help on the Rhodesian question when Ian Smith began to act up with U.D.I. and so forth. We said to the British, "Now look, this is still another one of those problems that emerged from the breakup of the British empire. Now our basket is full. You folks in London handle this problem. If you reach a point where you think there is something on which we might be helpful, come to see us and we will try to see what we can do." Well, the British themselves reached a point where they thought it might be helpful to go to the U.N. Security Council and ask for economic sanctions on Ian Smith's government. And because of what I just said we voted for that resolution in the Security Council, which passed with the necessary votes. That was a Chapter 7 resolution which was binding upon the members. So President Johnson, under the United Nations Participation Act, issued the executive order giving effect to the economic sanctions imposed on Ian Smith by the U.N. Security Council. That created some resistance in our own Congress and for a brief period they passed legislation overriding that executive order, particularly with regard to the trade in chrome because rumors were circulating that the Russians were buying chrome from Rhodesia during this period of sanctions and then selling it to the rest of us at a much higher price. That kind of thing sort of angered the Congress, so at that time they overrode it.

SCHOENBAUM: Were the British generally satisfied with the cooperation of the United States or did you find yourself not being able to fulfill the obligation--?

DEAN RUSK: Oh, I think the British would have been glad to see us out front more than we were willing to become.

SCHOENBAUM: Was this a conversation directly with the Prime Minister or with a foreign minister?

DEAN RUSK: No, diplomatic level.

BEAIRD: Let's go back to 1963 and '64 for a few moments. I know from being in Washington

at the time most of the people thought it was the leadership, the single-focused leadership, of President Johnson that secured the passage of the 1964 Civil Rights Bill. Was there any group in the executive branch that had primary responsibility for dealing with the Congress on that piece of legislation? Was there a task force? What was the role of the cabinet? I know you testified and so forth. Was that the top priority piece of legislation for that year? What was the atmosphere in the White House?

DEAN RUSK: The primary responsibility among the cabinet departments was the Justice Department, but they called freely on the rest of us for any help and the, of course LBJ threw himself into it. I mentioned earlier that President Kennedy's approach to these civil rights matters came out of his intellect, out of his mind. In the case of Lyndon Johnson, when it was no longer necessary for him to be elected as senator from Texas, all these civil rights views that had been in his guts and in his glands all of his life simply erupted like a volcano. His approach to civil rights came out of his deep feelings. He was a little bit like Justice [Hugo LaFayette] Black of the Supreme Court, who in an hour-long interview once said, "I didn't have to have lawyers tell me that separate was not equal in our school system. I've known that all my life. I grew up with it." Well Lyndon Johnson had grown up with that all of his life. He knew what the situation was. It may be that his attitude was shaped in part by the fact that he was born and grew up in a section of Texas which was settled by many of the refugees from the German Revolution of 1836--was it?

SCHOENBAUM: 1830 and 1848.

DEAN RUSK: The liberal view of these German refugees made its imprint there. There was a little town in Texas called Comfort, where at the time of the Civil War all of the able-bodied men set out for the North to join the Union army and they were all killed on their way. I myself am convinced that the civil rights attitudes of Lyndon Johnson came out of some very deep personal commitments on his part and were not just a question of political maneuver.

RICHARD RUSK: In that sense Johnson himself had a more sincere commitment.

DEAN RUSK: A deeper commitment.

SCHOENBAUM: Did he discuss his views specifically with you?

DEAN RUSK: Oh yes, a number of times, and we discussed them in cabinet. But the principle legislative responsibility lay with the Justice Department. The rest of us were all on call for any help we could be.

RICHARD RUSK: Do you remember any of the specifics of that counsel you may have given Lyndon Johnson on civil rights matters, either personally between the two of you or at the cabinet table?

DEAN RUSK: Not any specifics, but I was strongly in favor of further action. I was in favor of as much action as the traffic would bear at any given time. I didn't think that we should--by the way, remember that along with these so-called Civil Rights Bills, we made some fundamental

revisions in our immigration laws to eliminate elements of racial discrimination from our immigration laws. That occurred during this same period.

BEAIRD: Do you think that the emotional involvement of the President is probably the key factor in getting that piece of legislation passed.

DEAN RUSK: Yes. I think one of the most dramatic evenings I ever spent in my life was at that joint session of Congress which he addressed on behalf of the Voting Rights Bill. One interesting thing that might seem indiscreet to put on the record, but at those joint sessions the Supreme Court comes in and sits on the front row of one section of the House. The Cabinet comes in and sits on the front row of another section. Normally on one of those joint sessions when the President is speaking, the Supreme Court Justices just sit there and listen. But that evening when he was speaking on voting rights I could peep out of my eye and see these Supreme Court Justices applauding and clapping their hands, which was very untypical of the conduct of the Supreme Court in those joint sessions of Congress.

SCHOENBAUM: Was that the speech that he ended with, "We shall overcome?"

DEAN RUSK: Maybe so. He recounted some of the civil rights issues in his own experience, such as the problems his own chauffeur had in driving from Texas to Washington or back--where to stay, where to go to the bathroom, where to eat, and that kind of thing. He said in practically so many words to the Congress, "Now I have known about these problems all my life, but now I can do something about it." And he looked at the Congress and he said, "And you're going to help me." (laughter)

SCHOENBAUM: Vintage LBJ.

DEAN RUSK: Yeah!

BEAIRD: Arthur Goldberg came out of the labor movement and the labor movement had always been, at least in terms of rhetoric, a strong point of civil rights and so forth. Did he play a major role, do you recall, before going on to the Supreme Court, in these civil rights efforts?

DEAN RUSK: Yes. He was what I would call an "old school liberal", more or less as I was. He was one of those who remembered that the word liberal is associated with the concept of human freedom. He was very strong in support of these civil rights matters and he helped to mobilize some of the congressmen, senators with whom he was in closest touch, in support of the effort. It wasn't just enough to have a senator or congressman say that he would vote for it. You needed those senators and congressmen out there in their own houses working on their colleagues, persuading them to come along and make such legislation possible. Arthur Goldberg was very good at mobilizing that kind of help.

BEAIRD: I think it's interesting that for a good part of that legislation the Commerce Clause was used as the constitutional base for the legislation. Later on there was an effort to use the Fourteenth Amendment, Section 5, and so forth. The Supreme Court, while agreeing primarily on the Commerce Clause, has since backed away from some of the provisions and the positions

on Section 5 and also today have taken a narrow view with respect to intergovernmental relations and with respect to the Commerce Clause, The [National] League of Cities [v.] the Usery case [426 U.S. 833 (1976)].

SCHOENBAUM: If it's appropriate, maybe we could switch to the period after you ended your Secretary of State two terms and get into the problems you had with the University of Georgia and the Regents. As I understand it--and I, of course, wasn't here and I had third--

END OF SIDE 2

