



## **WILLIAM J. CLINTON PRESIDENTIAL HISTORY PROJECT**

### **INTERVIEW WITH PETER EDELMAN**

May 24-25, 2004  
Charlottesville, Virginia

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To cite an interview, please use the following general format: [name of interviewee] Interview, [date of interview], William J. Clinton Presidential History Project, Miller Center, University of Virginia.

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## TRANSCRIPT

### INTERVIEW WITH PETER EDELMAN

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**May 24, 2004**

**Riley:** This is the Peter Edelman interview as a part of the Bill Clinton Presidential History Project. Again, let me express our gratitude for your coming down, especially on a very hot day like today, to help out with the project.

**Edelman:** It is my pleasure to be here.

**Riley:** There are a couple of administrative chores that we usually take care of at the beginning of the interview. The first is for me to reiterate, on the record, the rules of confidentiality governing the proceedings. Nobody in the room is free to report anything that is said in here except you. We do this to encourage you to be completely candid in speaking to the record. We're not trying to create a record just for the use of the people sitting at this table, but more importantly for scholars and students of American politics and American history, who may be approaching these materials 30 or 40 years down the road. So we're hoping that we can create an accurate record and as a part of that pledge to you we're not going to report anything that you say here until the transcript is cleared for use.

The second thing we do is get a voice ID at the outset so that the transcriptionist will be able to know who is speaking. Kurt here will also be keeping notes, which is a record of each of the interventions to assist in that process and also taking down proper names, so if you see him scribbling a lot, that's what he's up to. So I'll begin. I'm Russell Riley, I'm an associate professor here at the Miller Center and am heading up the Clinton Presidential History Project.

**Edelman:** I'm Peter Edelman, I'm a professor of law at Georgetown University Law Center.

**Berkowitz:** I'm Ed Berkowitz, I'm a professor of history at George Washington University.

**Germany:** I'm Kent Germany, I'm assistant professor at the Miller Center of Public Affairs.

**Hohenstein:** I'm Kurt Hohenstein, recent graduate of the University of Virginia in history and I teach at Hampden-Sydney College.

**Riley:** Very good. We thought we'd begin by asking you some questions about your own personal biography. I don't know whether this was being discussed before I came in. Tell us a little bit about your upbringing. Where were you born?

**Edelman:** This part makes me a little self-conscious. I was born in Minneapolis, Minnesota, January 9, 1938. I'm Jewish. All of my parents' parents immigrated to the United States and came to Minnesota. My mother's parents came to Grand Rapids, Minnesota, birthplace of Judy Garland, and my grandfather was a leading citizen, established and ran the dry goods store there, the local small department store. My father's parents came to St. Paul.

**Riley:** Where did they emigrate from?

**Edelman:** Some place in what would now be Byelorussia. My surviving aunt, who is 90, is apologetically unable to—I've asked her repeatedly to identify exactly where, but someplace in Byelorussia. My father's family came from someplace near Minsk. His father came from a little town called Rebzevitz. They were all rabbis on my father's side.

**Berkowitz:** So you were not German Jewish.

**Edelman:** We were not. No, we were from that section of Russia. My great-grandfather for whom I'm named was evidently quite a distinguished rabbi and a kind of mystical healer, someone who was regionally renowned and a great scholar. My father was very pleased to discover that his father's brother—this is a sad discovery, but he always thought of his father as having achieved not much, his father was a Hebrew teacher in St. Paul, Minnesota, very poor family. But his father's brother had been the spiritual leader and stayed back in this little town. My father went and did some genealogical research in some of the collections, the work that had been done with reparations money. He found that his father's brother had, in a very dignified way, been marched off by the Nazis with other town leaders. What can one say about something so tragic, but he was very proud of that, to discover there was some distinction on his father's side of the family.

My father started working at the age of ten to support his entire family. He got noticed by one of his newspaper customers when he was perhaps 12 and was brought in to be the bookkeeper in that man's office. The man was some kind of a grain merchant in downtown St. Paul. My father worked his way through college and law school at the University of Minnesota.

**Berkowitz:** Really, your dad went to college.

**Edelman:** Both my dad and mom went, yes.

**Berkowitz:** That puts you way ahead of the game.

**Edelman:** We were not a poor family. My father came from a very poor family but he was ultimately very successful. He did work his way all the way through and support his own family, and certainly bore the scars of someone who has had those kinds of struggles.

He went to law school with Harold Stassen and he used to tell stories about how they kicked Harold Stassen off the law review, and how Harold Stassen shook his fist at them. I don't know what Stassen had done that cost him that, maybe he hadn't done his work or something, but he

said, “You’ll see, I’m going to be a United States Senator someday,” and about ten years later he was Governor.

**Berkowitz:** It was all downhill after that.

**Edelman:** My father was a successful private practitioner in Minneapolis. My mother came to the university from Grand Rapids, and they met there. She was a very talented musician, and she was a stay-at-home mother. She died very young, died in 1953, and it was a great loss. I went to public school. I went to West High School in Minneapolis. I have a biological sister, biological brother. I put it that way because my father remarried a year after my mother died, and so I have two stepbrothers and two stepsisters as well.

My sister was widowed early, raised six kids in the Bay Area. My brother is a lawyer in Washington, D.C. Just small salient facts that I think are formative—I started school early and skipped a grade and I think suffered a bit from being slightly maladroit socially and certainly extremely maladroit athletically, which would have been true had I been in my own regular grade, but it was exacerbated.

**Riley:** Not a hockey player.

**Edelman:** No, no, not any kind of a player. Pretty good at ping-pong. For the first six years I was the only Jewish kid in the school, some self-consciousness about that. I tell my students in constitutional law, when we talk about separation of church and state, that they used to have religious training release time during school hours, and those of us who didn’t want to participate stayed back. So there was me and the Unitarian and the atheist. Actually I didn’t mind, but you definitely felt like you were different.

**Riley:** Did the other students mind?

**Edelman:** No, and the three of us enjoyed each other.

**Berkowitz:** So that meant that your parents decided to live in a non-Jewish neighborhood?

**Edelman:** I don’t know why. They did. There’s a substantial Jewish population and indeed, not that far away there were Jewish people. We were across a boundary line. Certainly half a mile away there was a moderate number of Jewish people, but in my school I was the only Jewish kid. I was always the smartest kid in the class and had to find later on that the world had a whole lot of smarter people in it.

I always wanted to run for something and maybe that was to make up for being younger or being a lousy athlete, so I always ran for student offices and things like that.

**Riley:** Successfully?

**Edelman:** Well, mostly not, but I was president of the All-City Student Council in high school, and I was governor of the Hi-Y model legislature, having lost as governor of Boys’ State at the

end of my junior year of high school. Some of my supporters, when we got to the Hi-Y model legislature the next year, just made it happen, and I was quite pleasantly surprised.

**Berkowitz:** So when you were a boy, Hubert Humphrey was mayor.

**Edelman:** Not only was Hubert Humphrey mayor, my father had been a supporter of his and was appointed to his newly formed Human Relations Commission. The minority in Minneapolis were Jews. People of color were not known to people from Minneapolis or St. Paul. There were Native Americans who were what we would now call homeless people, in those days we called them bums and winos. It was a very white place. Carey McWilliams of *The Nation* once wrote, right about 1946, that Minneapolis, or the Twin Cities, was the capital of anti-Semitism in the country. Everything was separate. There was a whole Jewish economy that was just separate from the larger economy, quite successful but separate from the larger economy. There was a Jewish country club, Jewish downtown, and so on.

So Humphrey appointed him to that. Now when I was in sixth grade I was the kid—this is in the days long before any modern technology other than streetcars—who he school would send down to city hall, where the board of education was, to pick up the films to show to the students. I'd ride the streetcar down. The school was on the edge of town so it was a long ride down, and I would always go up to Humphrey's office to see if he was around. Now and again he would be there, and I would be admitted to see him and we would have a little chat.

Once he was needing to appoint a chief of police and he asked me who he should appoint. I had been reading the paper, or my parents had been reading the paper, and I said, the guy who was the sheriff, a guy named Ed Ryan, and he turned out to appoint that guy, so I was very proud of myself.

**Riley:** You mentioned the anti-Semitism. Did you feel that?

**Edelman:** Really not. The only time I ever remember overtly was that we had, I was about five years old and I was at Jimmy Peller's house. There was a Catholic school that a lot of the kids in the neighborhood went to, didn't go to the public school. We were in his driveway, the older kids were playing basketball, and he informed me that the Jews had killed Christ.

I went home and asked my mother. She said, "That's what they teach them at that Catholic school." But literally, that's the only instance that I remember and really that I know of.

**Berkowitz:** So you went to Harvard, right?

**Edelman:** Yes.

**Berkowitz:** What year did you get there?

**Edelman:** I graduated from high school in 1954. I was 16 when I graduated from high school, and I was the valedictorian of my high school class. As I say, I'd been very involved in student politics. But not elected either president of my class or president of the student council. You

want to get into things that I probably would have to tell a therapist about, the difference that all made.

**Berkowitz:** Like FDR [Franklin Delano Roosevelt] not getting into Porcellian [Club].

**Edelman:** But why did I go to Harvard? My father's law partner was a wonderful man, brilliant man, died much too young, who had been at Nuremberg [war crimes trials]. A man named Sidney Kaplan had been at Nuremberg with Justice [Robert] Jackson as a prosecutor along with Ben Kaplan (not related to Sidney) who became my professor at Harvard Law School and then later Justice on the Supreme Judicial Court of Massachusetts.

My father and Sidney and his brother, Sheldon, established a law firm together right after World War II. My father had been at a different law firm, and he and Sidney were very close. After my mother died, the woman my father married, they lived about a block from Sidney and his wife Lenore, and he and Sidney went walking every night. It wasn't enough that they saw each other all day long. They went for a walk every night to talk about what was going on in the office. They were absolutely bound. He was a very acerbic, probing man. He was constantly asking me hard questions, made me very uncomfortable, and he was just my hero.

I knew that he'd gone to Harvard. The only thing I didn't realize was he hadn't gone to Harvard College, he'd gone to Harvard Law School. I didn't know the difference. Harvard recruited, their notion—quite nice—of diversity at the time was geographical, and they really were trying very hard to get students from all over the country. It was a very conscious policy. There was a man named Don Peddie who worked for the Minneapolis newspaper, *Star and Tribune*, and he was the local recruiter. Somehow I came to his attention and so got a little bit of recruiting and ended up going because Sidney had gone there, except I was wrong. So that was how I happened to—

**Berkowitz:** You were recruited, that's very impressive. You must have been in the minority when you got to Harvard as somebody who'd gone to public school.

**Edelman:** I think by that time Harvard was probably slightly more public than private. The change was already going on. There were lots of Jews around, certainly not black or—

**Berkowitz:** Did you have Jewish roommates?

**Edelman:** Yes.

**Berkowitz:** Because that was something I think they did, they kind of kept the people together. Certainly awareness of who was Jewish and who—

**Edelman:** Actually, maybe so. I wasn't aware of that. The freshman year there were four of us, one was not Jewish. Maybe they thought he was. His name was Kraus with a "K." Father taught German at GW [George Washington University], and they lived a block away from where I now live. So anyway, I went to Harvard.

**Berkowitz:** Class of '58 then.

**Edelman:** Class of '58, yes.

**Riley:** What did you study as an undergraduate?

**Edelman:** Economics. Is that enough on growing up?

**Riley:** Kent, do you want—

**Germany:** One question I had was dealing with what sort of Judaism your family practices.

**Edelman:** That question connects up to the present in an important way, so I appreciate your asking that. The family were Conservative, and I was bar mitzvah in a Conservative synagogue. In those days Reform Judaism was no yarmulke and mostly English. We were very derisive about that. If you know anything about what's happened to Judaism, Reform Judaism has become much more traditional, comparatively speaking. I am a Reform Jew now.

I went to Hebrew school, so going back to that question of why we lived in a place where there were no Jews and my not knowing why, they did send me to Hebrew school. One of the memorable experiences of my life was, they sent a taxicab every day to pick up the people who lived a bit far away. There were four or five of us who rode in that taxicab every day, a pair of twins, a guy with cerebral palsy who could barely talk, he was the sweetest kid. I learned all the dirty jokes, all the ten- and eleven-year-old dirty jokes, could still tell you some of them, in that taxicab.

More important, I went to Hebrew-speaking camp. For a short period of time I was way, way more observant than my parents were. My mother was totally non-observant, and my father went to synagogue only on high holy days.

But from college on I was not active religiously. Our children were bar mitzvah, but otherwise I wasn't active. I wasn't rejecting anything, I just wasn't active. But in the late 1980s I got involved with Israel's policies toward the Palestinians. The first *intifada* had begun and I was very upset about Israel's responses to that. Some people reached out to me and I got involved with the American support group for the peace movement in Israel, Shalom Achshav, Peace Now.

I was actually recruited to be the co-chair of the board, which, I must say, made me think they must have been rejected by large numbers of people before they came to me. I've been very active on Israel ever since. I'm now the board president of something called the New Israel Fund, which is quite a substantial organization, a \$20 million organization that works on social justice issues within Israel, including the status of Arab citizens of Israel. So asking me about our kind of Judaism is actually very connected to who I am now.

**Germany:** So early in your life you had a fairly clear sense of Jewish identity, in some ways because of being the only Jewish child in school. Did that persist into Harvard and then beyond? Did you maintain this?

**Edelman:** It was inside my head. I was not observant and I was not affiliated from approximately the mid '50s until the late '80s. So it was kind of sitting there. I didn't ever reject anything, I was never mad at anybody about anything. I always identified culturally and historically and ethnically. But it's been an interesting odyssey, just some sort of sub part if you will.

**Berkowitz:** You went to college in '54, so your senior year of high school was when the Brown [*Brown v. Board of Education*] decision came out, which everyone is talking about right now. Was that on your map of—?

**Edelman:** Not much. Sure, I knew about it, in our house we talked about it. We were a Democratic-Farmer-Labor household. But not very politically conscious. My father was very cynical about politicians. He was only moderately close to Humphrey despite the story that I told, and didn't participate. He had friends who were labor leaders, particularly on the CIO [Congress of Industrial Organizations] side. But organized politics—he didn't trust those people and he conveyed that.

In general, consciousness about public issues in the household, yes. My wife, on the other hand, her father passed away a week before the Brown decision came down, and she tells how they waited every week to see if it was coming down. It's an interesting contrast.

**Riley:** Exactly, exactly. Did you get a sense that your parents had a career path picked out for you?

**Edelman:** No. I think it was always assumed that I would go to law school but there was no pressure about anything. I admired my father tremendously and he was a great role model. When I was in college I did a tiny bit of rethinking, but I must say a very tiny bit of rethinking. I discovered literature, American literature, English literature, literature in the English language, and got very enamored of that but not really in a pre-professional way.

**Berkowitz:** You were an econ major—

**Edelman:** Yes, and I almost switched out of economics.

**Berkowitz:** You know that there's a quote about President [John F.] Kennedy which said they talked to him about economics and they asked what do you know? And he said, "I studied with Russ Nixon so you'd better tell me everything." Was Russ Nixon still there?

**Edelman:** I didn't study with Russ Nixon, so I apparently—I could tell you a good Bobby Kennedy story there, but no, I studied with Carl Kaysen and Jim Duesenberry. Alvin Hansen was still alive and I took a course from him. There was Ken [John Kenneth] Galbraith, whom I didn't respect as much as I should have because the economists all said he wasn't a real economist, and I was very impressionable. Barbara Ward, Lady Jackson, was around a lot. John Meyer, who's a pretty well known economist, was my tutor. I studied with very good economists. It was before the quantitative thing had completely captured everything. They spoke in words, that was good.



**Berkowitz:** But Alvin Hansen was very closely identified with Keynesianism and that was a big—

**Edelman:** The economics I learned was Keynesianism, very much so. So I was very imbued with that. That's quite right.

**Berkowitz:** Doesn't sound like it was the same sort of intellectual epiphany as the English literature. It's interesting you mentioned that as something—

**Edelman:** It was interesting, but right, I wrote my undergraduate thesis on urban renewal in St. Paul, Minnesota. Jim Duesenberry was, among other things, interested in housing so you can see that I wasn't at the heart of the discipline there. Ed Kuh, who was an economist at MIT [Massachusetts Institute of Technology], offered to form a group of economists to advise Robert Kennedy. I must have asked him casually one day, "Would you be willing to do this?" Or maybe we exchanged a note or something, so I formed it. The day came and I sent a letter in to remind him that they were going to actually meet with him. And he wrote me back and on the bottom he put, "Peter, help! I got a D in Economics A." So that's the equivalent—

**Berkowitz:** The Russ Nixon story.

**Edelman:** Yes, the Russ Nixon story.

**Riley:** Did you maintain your interest in student government and politics when you went to Harvard?

**Edelman:** A little. I ran for what was called the Freshman Smoker Committee. There used to be a beer bust, a beer something or other in the middle of the year to sort of let off steam. There was a committee that organized that and I ran on a slogan of "Crudity, Lewdity and Stewedity." I was soundly defeated.

**Berkowitz:** Was that the 1950s?

**Edelman:** Yes, it was apparently inappropriate for the 1950s.

**Riley:** Ahead of your time.

**Edelman:** I was just being honest, right? There you go, that was the end of my undergraduate political career.

**Riley:** But you made up your mind at that point that you wanted to go to law school.

**Edelman:** I was just assuming. It was really never much of an issue that I was going to go to law school. My father used to take me around with him to things. If I had a day when I wasn't in school, sometimes the teachers would be on strike or a vacation day or something like that. I had this vague idea that he stood up and argued and so on, but I didn't really know what it was. It

was just an assumption that I would like it because he did it. And I did. I am the ironic person of being, the way I have done my life, very little of a lawyer, and somebody who actually likes the law. When I've occasionally done something law related, I've generally enjoyed it. In the late 80s when I had a part-time relationship with a law firm, I did some things that I enjoyed very much, more than when I had full-time practice. So it's kind of ironic.

**Berkowitz:** What about people you met at Harvard in terms of your lifetime?

**Edelman:** It's a great question because there are so many fabulous people who went to Harvard and friendships with people that you always see. There are more from the law school than the college. One friend who got famous was Erich Segal, not a close friend, but I knew him well enough—

**Berkowitz:** He was probably a classics major.

**Edelman:** He probably was. I was in London raising money for the New Israel Fund last year, and I went out to see him and his wife. She's a member of our board there. I went out to see them at their home. But, I must say, mostly people you wouldn't have heard of. Jared Diamond was in my class, but I don't know him. Jonathan Kozol was in my class and he's a very dear friend of mine, but not from then. In fact, we had already become friends and I had to tell him that we were college classmates. So there are people who have done well. John Kramer, who was my colleague at Georgetown, got to be the dean of the Tulane Law School. Anyway, I could go on.

The law school friends are more like Bernie Nussbaum, a law school classmate of mine whom you interviewed for this project. We've stayed close over the years. Some judges, Larry Silberman who was a [Ronald] Reagan appointee, is now the co-chair of some commission, they have so many commissions, one of the latest commissions.

**Berkowitz:** I see. You got to college in 1954, so you finished college when John F. Kennedy was running for reelection for Senate.

**Edelman:** Yes.

**Berkowitz:** Were you involved?

**Edelman:** No, saw him once or twice in Littauer [then the building of the School of Public Administration], which was then—

**Berkowitz:** What the Kennedy School now—

**Edelman:** But no. I didn't have any particular idea of being involved in politics. I was going to be a lawyer. I got out of law school and was fortunate enough to get a clerkship with Henry Friendly on the Second Circuit who was one of the great Court of Appeals judges. We just had a reunion of his law clerks last week. It's a very distinguished bunch, have done very well. Then through him I was appointed a clerk for Justice [Felix] Frankfurter who retired from the court three days before I was supposed to go to work for him. He had a stroke in the spring of 1962.

He had a rule that you weren't to come see him, his clerks were picked by people at Harvard, Al Sacks at Harvard.

**Berkowitz:** Continuing the tradition of him picking clerks for [Louis] Brandeis.

**Edelman:** Yes. So I got a call one day and Al Sacks said, "How would like to clerk for Justice Frankfurter?" "Yes, I think I'd like that, Professor Sacks." You weren't to go see Justice Frankfurter unless you were in Washington for some other reason. So my then wife and I concocted some reason, and we went to see him, which I was always very grateful for because that was before his stroke. That was the one time I met him, and it was just two hours of very lively conversation.

In any case, Arthur Goldberg was appointed. The Chief Justice told him he shouldn't keep Frankfurter's clerks because anybody Frankfurter would have appointed would be some sort of evil conservative. He apparently looked into my background and that of the other clerk and he chose to keep us.

**Germany:** Did you have any experience in the labor movement?

**Edelman:** In the labor movement, no. I've always had good friendships in the labor movement, people more in the CIO tradition if you will, more in the industrial unions, UAW [United Auto Workers] people, now SEIU [Service Employees International Union] people and AFSCME [American Federation of State, County and Municipal Employees] people, some of the people around John Sweeney. I was a card-carrying member of the Teamsters when I was in college. I was a warehouseman and I still have a Teamsters union card somewhere in a desk drawer, but not really, no.

When you do politics on the Democratic side, you get to know people. Then the Center for Community Change, which I've been on the board of for almost 25 years, was founded in Robert Kennedy's memory by a number of people who had been associated with Walter Reuther. So that became another point of connection.

**Berkowitz:** You've mentioned this first wife a few times.

**Edelman:** Yes.

**Berkowitz:** Right after college?

**Edelman:** She was the daughter of a federal judge in Chicago, Jewish, named Julius Minor. There was also Julius Hoffman who got famous later on in the Chicago Seven trial. Her father used to call himself "Just Julius." She went to Wellesley. I was finished with all my class work and everything in the spring of 1958, and we did a production of *Of Thee I Sing* in our house—there's a little thread of liking to appear in public here. So I got cast in the role of Throttlebottom, the Vice President, and she was in the chorus. We had this absolutely red-hot romance and got married a couple of years later. Unfortunately, it was a sad, ultimately sad result. Didn't have any children and she passed away in 1975, had a lot of personal problems.

I'm close to her brother and have stayed in touch with her sister as well, a lovely person. Very funny and charming and delightful, but life was not kind to her. So yes, we got married after my second year in law school, June of 1960.

**Riley:** Anybody in particular in law school who was especially influential for you?

**Edelman:** Well, Ben Kaplan, whom I mentioned, on the faculty, was a great influence, and we stayed in touch. I owe him a visit now because his wife passed away and he's in his 90s. I saw him a couple of years ago. But this is a man who spoke prose that came out of his mouth as though he had edited it for days, absolutely precise sentences, paragraphs, it was the most remarkable thing. Never otherwise. Never any halting, never "uh" or "you know" or any of that.

**Riley:** When you spend your time, your life, working on and editing transcripts you recognize how miraculous it is.

**Edelman:** That's right, when you see yourself in a transcript the first time, you go, "Oh, my God." That is absolutely right. But it was so unusual, and he was very kind to me as well. Paul Freund, the constitutional scholar, was somebody I got to know pretty well and admired very much. I wrote my third-year paper with him and took his seminar. Albert Sacks, whom I mentioned. Nobody else in particular on the faculty. Lots of people in the student body, particularly the year ahead of me, were people I liked a lot. Phil Heymann remains a friend to this day. You'll probably interview him. He was the Deputy Attorney General at the beginning of the Clinton administration; he was a year ahead of me. There were a number of others who were good role models.

**Riley:** Was it a foregone conclusion that you were going to go to Harvard Law rather than someplace else?

**Edelman:** Yes. I applied, the same thing with college. College I applied to Harvard and Yale and the University of Minnesota, not knowing what I was doing, as I said. I applied just to Harvard and Yale. I had done well on the LSATs [Law School Admission Test], and I had good grades, so it was fairly obvious that I would get into Harvard.

**Berkowitz:** They had LSATs then, must have been one of the earlier times, among the first years of that.

**Edelman:** I don't know, I don't know the history of the LSAT. I know a lot about it now, but it was required and we took it.

**Germany:** We won't ask you your score.

**Edelman:** It was high, it was good. I'm a good test taker. That doesn't mean I'm smart, that's a different point as we know.

**Germany:** When did your association with Robert Kennedy begin? Was it through Justice Goldberg?

**Edelman:** Justice Frankfurter always said to his clerks, “Go home.” I think that’s good advice. If you look at the history of what happened to his law clerks, some became Washington lawyers, many became academics, but I would bet you that there’s a disproportionate number who went back to their home community because that was his philosophy. Given his own, I suppose, elitism, that might seem like surprising advice, but he did.

We all heard the story of Ed Prichard who had gone home to Kentucky and been very promising and then got caught on election fraud and went to jail, and got out and was still a leading citizen because, you know, it’s just election fraud. So had I clerked for Frankfurter he probably would have said, “Go to Minnesota,” and I might have. Goldberg said to me, “You know this Kennedy administration is really quite unusual and there won’t be that many like it in your lifetime. You should find a way to work in the administration.”

**Riley:** What did he mean by that?

**Edelman:** If your politics is on the Democratic side, you can see what he meant by it. It was rather prophetic. But I was thinking Franklin Roosevelt, Harry Truman, even Dwight Eisenhower. What’s he talking about? Onward and upward, American progress, we always have good Presidents now. It’s a long time since Herbert Hoover. But nonetheless I took the advice. I had a military obligation, and I served in the Air National Guard. One of the problems was I didn’t know how long I was going to have to serve. Once I got signed up for that, it was actually eight weeks of basic training and then no more active duty, just having to go to reserve meetings and summer camp.

There was a new Assistant Attorney General in the civil division named John Douglas, who is still a dear friend, the son of Senator Paul Douglas of Illinois. There was a tradition at that time, a new tradition with the Kennedy period, that Supreme Court law clerks went to be special assistants to either the Deputy AG [Attorney General] or any of the Assistant AGs. Phil Heymann had gone, for example, to Nicholas Katzenbach, my co-clerk David Filvaroff went to Katzenbach, others went to others, Lou Oberdorfer and so on. So Douglas had just been appointed and didn’t have anybody, and I was the only law clerk without a job because of the uncertainty about the military. So somebody put us together and he said, “You come whenever, it doesn’t matter.”

That was very nice of him and it turned out I came in a timely way, in September of 1963.

**Berkowitz:** It turns out very timely, September of 1963.

**Edelman:** Well, in a sad, awful way, sure. It wasn’t that Goldberg introduced me to Kennedy. I met Kennedy when I was clerking, not that he would have remembered it.

**Riley:** Bobby or—

**Edelman:** Bobby. JFK [John F. Kennedy] I met once, I think, one of those times in Littauer that I mentioned. I never was in the White House when he was President and otherwise never saw

him or talked to him. But Robert Kennedy came to have lunch with the law clerks, who knows when. Sometime in the 1962, '63 time frame, and I happened to sit next to him. He was talking, quite interesting, articulate, all of that. And I noticed that underneath the table, his hands were just trembling. I thought, *What is this about?* To some extent I think he was always, in a way, less composed than he appeared.

**Berkowitz:** He was just really fidgety though, wasn't he? As his brother was too.

**Edelman:** Yes, he was rather fidgety. But I think he was actually a little intimidated by all these people who finished first in their class or high in their class at all these prestigious law schools. At least that was my theory at the time.

I then went to work for John Douglas, that was fabulous—

**Riley:** Can I interrupt and ask you, were there any cases particularly noteworthy during your time at the Supreme Court?

**Edelman:** *Gideon v. Wainwright* was decided that term and there was a *habeas corpus* case that was quite important. You know, we were the rookies so we didn't get great stuff to do. The first opinion that I worked on had to do with when television stations bought old films to show late at night. The practice at the time was that the movie companies did what was called tie-in sales, which meant that in order to get *Casablanca* you had to also buy some turkey.

**Riley:** Some old Ronald Reagan movie?

**Berkowitz:** Which is a continuation of their block booking practices that had previously been outlawed in film distribution.

**Edelman:** Yes, right, but they were continuing. So we outlawed it as a matter of antitrust law for the selling to television. That was the first opinion I worked on. Otherwise I worked on a case that involved whether you could lose your citizenship for leaving the country to avoid the draft, which was quite significant. There were two cases together. One of them involved a man who'd gone to live in Prague, and Marian [Wright Edelman] and I looked him up in 1968 when we went to Prague. He wasn't very grateful. We had saved his citizenship, but he was still subject to prosecution if he came back to the United States. Somehow he didn't think we had done as much as he needed.

In terms of some of the cases later on, Goldberg wrote a dissenting opinion to a refusal to grant *certiorari* in a capital punishment case, where he questioned capital punishment. He wrote a famous concurring opinion in *Griswold v. Connecticut*, the contraceptive case. He wrote an important concurring opinion in *New York Times v. Sullivan*. These things all happened in the subsequent two terms that he was on the Court.

**Riley:** Two other questions about that. One, is there anything about your time at the Court, any kinds of relationship observations that you made among the Justices that—

**Edelman:** First of all, my relationship with Justice Goldberg was wonderful. It was so different from—I know it’s not the question you’re asking, it was so different from the relationship with Judge Friendly. Judge Friendly was a very formal man and he did like me, he especially liked my then wife, who was absolutely charming. But he was very stern, didn’t smile very much. He would ask you a question, and you got one chance to answer. If he didn’t like your answer, he was on to something else, no amendments. Robert Kennedy had the same quality, oddly enough.

Goldberg was this warm, effusive person. Anybody who had anything to do with him was invited to his home. Actually, Judge Friendly did invite us to his home for dinner, so that was not different, but Passover Seder was a cast of 30 or 40 people at Justice Goldberg’s house. Once we were in the middle of something and I said, “Oh, my God, I’ve got a dentist appointment.” He said, “That’s right, that’s what you should do. You need to go to the dentist.”

**Berkowitz:** Sounds like you got to know him a little bit. There’s this book about Goldberg now, that David Stebenne wrote. I’m just curious.

**Edelman:** You mean the terrible biography?

**Berkowitz:** Yes, it’s not very good. This is an off-the-wall question. Was Goldberg on the phone to Willard Wirtz or Ted Sorensen or the United Steel Workers when he was a Supreme Court Justice?

**Edelman:** He was on the phone, of course. I don’t know who he was on the phone with, but he kept his hand in, there’s no question about it. He was probably on the phone to the President. Whatever it was, he was not sealed off, and maybe spoke to people like the ones you’ve mentioned. You could ask Willard Wirtz, he’s still alive. I had dinner with him two weeks ago, quite wonderful.

Anyway, he became a friend for life, and I ran the issues in his campaign for Governor in 1970 if you want to get to that. So we had a wonderful relationship. I got very exasperated with him later on, but that’s the later part of the story.

As far as the Court then is concerned, Justice Goldberg was very close to Justice [William] Brennan, and they were in and out of each other’s chambers all the time. The other Justice I got to know on a personal level was Justice Brennan. Justice Goldberg would send me or his other clerk by to work with Justice Brennan now and then on some opinion. The chambers were very collaborative, and they became dear friends.

I couldn’t tell you then who didn’t speak to whom. People didn’t like Justice [William] Douglas very much, he was kind of a mean man. There was a story about him, which Goldberg told me although Douglas was a friend of his. During the war, he sublet an apartment to Justice Douglas. Goldberg was in the OSS [Office of Strategic Services], and he had this apartment—I don’t know where his wife Dorothy was, maybe back in Chicago. But he had this Washington apartment, and there was a man who was the concierge or valet for everybody, took their dry cleaning in. A black man who, whether he was self-appointed, whatever. So Goldberg came back from overseas, and he resumed living in the apartment. Goldberg said, “Sam, how was it having

Justice Douglas here?” Sam looked at him and said, “Well, Mr. Goldberg, he may be a great fellow for the common man, but he sure wasn’t a great fellow for this common man.” [laughter] Douglas was not well liked.

**Berkowitz:** Another guy with Kennedy connections by the way. With the old man.

**Edelman:** Justice [John] Harlan was a prince, everyone loved him. I just happened to talk to a couple of guys the other day who had clerked for him. Just a courtly, sweet man.

Goldberg did not have a lot of respect for [Earl] Warren’s intelligence. He would go to see Warren. Goldberg immediately took on a role that was consistent with his labor history, his history as a mediator. He had a genius for figuring out what would bring people together. There was a water dispute, *Arizona v. California*, during the year I clerked. The Justices were just all over the lot and nobody agreed on anything. It was original jurisdiction, one of the rare cases, under the Constitution, where you can have this dispute between states and you start in the Supreme Court.

Goldberg went around and saw everybody and figured out what the common threads were, what would knit together a majority in that. Well, fairly often he would go to see the Chief with some proposition or another that he thought was the rationale to decide a case, or the way to bring people together. Many of those times he would come back quite frustrated, and he used to speak pejoratively about the Chief’s intelligence.

**Riley:** That’s interesting, because at least from the outside, and I’m somebody who doesn’t study the courts, but one of Warren’s strong suits was as a political figure on the Court.

**Edelman:** Right. Certainly the story of *Brown v. Board of Education*, although that’s heavily a Frankfurter story, too. But in any case, that year, that was Goldberg’s experience with the Chief.

**Riley:** The other question I wanted to ask you, if you know about it, is his departure from the Court.

**Edelman:** I know his story, which I’m going to tell you—

**Berkowitz:** It was ’65?

**Edelman:** Yes. Adlai Stevenson died in the summer of 1965. It’s a story that ought to be on the record. There’s a dispute among Goldberg’s ex-clerks, and I can’t remember who falls on which side, but it’s a short list and includes Justice [Stephen] Breyer and Alan Dershowitz. Some of his ex-clerks think that he was bored on the Court and that he was happy to get out of there. I never saw that. I always thought the Court was his life’s dream. Here’s the story, which is factual as far as it goes.

For whatever reason, I was out walking on First Street Northeast between what is now the Dirksen Building and the Supreme Court, right by the Methodist Building, which is on the corner of Maryland and First. And I ran into him. It was about 2 o’clock in the afternoon and I don’t



know why, maybe I hadn't had lunch, maybe I was just walking to clear my head, and there he was. It had been announced in the paper that he was going to be appointed the UN [United Nations] Ambassador. I said, "Mr. Justice, what is this all about?"

He said, "Well, Peter, Mrs. Kurgans"—that was Dorothy Goldberg's mother, who was in the hospital dying— "and I was there with Dorothy, and President [Lyndon] Johnson started to call me up and he said to me, 'Arthur, who should I make the UN Ambassador?' I said to him this and that one, and on every one of them he gave me some reason as to why that wasn't the right one, and finally he said, 'Arthur, it's you.'"

Goldberg said to me, "I didn't want to do that. I said, 'Mr. President, no, no, no, I'm happy on the Court.' He said, 'Arthur, your country needs you. You're the only one who can make peace.'" Ego. The man did have a big ego. "You're the only one who can make peace." Of course we know what Johnson did with that, sent him on that bogus trip all around the world at the end of 1965.

So that was the ego part. Then he said, "Your country needs you." Goldberg was an immigrant. I think he was himself an immigrant, maybe the son of immigrants. But in any case, Johnson always knew how you got somebody. He appealed to ego, he appealed to patriotism, and he got him. That's the story he told me. Now, does that mean the other people are wrong who said he was bored on the Court? Well, maybe there's some of that. Maybe he was a little "gettable." But that is the story. And it was too bad, it ruined him. He got a lot of public attention as UN Ambassador. In fact came to realize he was being used, broke with Johnson internally, would never say it publicly. Gave Johnson a lot of trouble in late 1967 and into 1968 and finally resigned. Didn't say why he was resigning, but he resigned because he disagreed with Johnson's policy on the war. After that he was really never the same.

He started with Paul, Weiss and then he ran for Governor very unsuccessfully, a horrible candidate for Governor.

**Berkowitz:** I remember that, he was very bad on television in that campaign.

**Edelman:** Oh, I could tell you, if you want, I could tell you stories. [Jimmy] Carter sent him to be the delegate to some kind of East-West talks in Belgrade. He was totally underutilized for basically the last 20 years of his life.

**Riley:** I read something in relation to this that indicated he may have felt that he was going to get reappointed to the Court.

**Edelman:** I think so. I have no evidence on that and in this project you may or may not find somebody who knows, but it was always my view that there was a deal when he left the Court. There was a deal that he would be reappointed and indeed that he would be appointed Chief Justice, that Chief Justice Warren was going to go and then they would appoint Goldberg. And it makes it all the more to his enormous credit that when he broke with Johnson he lost his change to get back on the Court. If there was a deal, of course, part of it was that it was a way for Johnson to keep a hold on him. So it would have been, whether Johnson intended it or not, it

would have been a brilliant thing for Johnson to do. “Don’t give me trouble here, Arthur, because I’ve got this hold over you.” But he gave that up when he broke with Johnson. That’s always been my opinion, that there was such a deal.

**Germany:** Did he break with Johnson before the [Abe] Fortas affair?

**Edelman:** Oh, yes. The Fortas thing happened, let’s see, Fortas gets appointed Chief Justice in—well, anyway, it’s in the same time frame, but I’m sure it’s before that.

**Riley:** Can we take a two- or three-minute break here?

**Edelman:** Are we doing all right?

**Riley:** We’re doing great, thank you. I’m trying to keep you fresh. We have a long day ahead of us.

**Edelman:** I’m happy. You tell me if I’m going off into tangents.

**Riley:** Not at all, we’re budgeted to spend a good deal of time on this because I think it’s important for people to know what your roots are when you come.

[BREAK]

**Berkowitz:** There is a whole series of LBJ recorded conversations about the Goldberg UN appointment.

**Edelman:** Is that right? What does he say?

**Berkowitz:** I haven’t listened to them.

**Germany:** They’re here, right?

**Berkowitz:** Yes.

**Germany:** Because he belittled people a lot, right? Sometimes directly, he would make fun of them, no?

**Berkowitz:** It depends.

**Edelman:** If they were capable of handling being belittled.

**Germany:** I don’t mean directly.

**Berkowitz:** Oh, yeah.

**Riley:** Ed, you wanted to start some questioning?

**Berkowitz:** Just wanted to get back to your relationship with Robert Kennedy if we've got the time. We know, for example, that Robert Kennedy was Attorney General in 1963 and he ran for Senator in 1964. So when do you come into the picture?

**Edelman:** I come into the picture in the sense of being in the right place at the right time, the beginning of September 1964. I was trying to figure out what to do with my life. I'd taken a job with Cleary Gottlieb [Cleary Gottlieb Steen & Hamilton] on Wall Street, and I was slated to begin in November of 1964. My idea had been that my then wife and I would travel in Europe in the fall of '64, just to have a nice two-month break. But I got intrigued by the idea of being involved in a political campaign that fall, and first I tried to get involved in Hubert Humphrey's campaign for Vice President.

On a plane I had run into Don Fraser, the Congressman from Minneapolis, and his father had been my father's law school dean. I knew Don slightly and actually had Don come speak at my school when I was 11 years old. He was a city councilman then. So I knew him a little, he's become a good friend since. He said, "I think about the best I can do for you is get you involved as an advance man. If you'd like to do that, I'll get back to you." Then he didn't get back to me, and I was deeply offended. I was young, not understanding how these things work.

Meanwhile, Kennedy decided to run for the Senate so I said to John Douglas, "Do you think I could get involved in the campaign?" Adam Walinsky was around in the Justice Department at the same time and he and I had clerked together on the Second Circuit. We knew each other, and John became his rabbi if you will about getting the two of us in the campaign. Even that was difficult because the people in the campaign were saying, "What do those two know?" and "What do we need anybody else for anyway?" and so on. At the time it seemed like an eternity but it took two or three weeks before John was able to sell the powers-that-be in the campaign that Walinsky and I would be useful.

So I was assigned to Bill vanden Heuvel, the chief issues person on the research side, and Adam was assigned to Milt Gwirtzman, the chief speechwriter. That was right. Adam was and is just a brilliant writer. Got a screw or two loose in other respects, but he's a brilliant writer. So that's how I got involved in the campaign. It wasn't from any personal contact with Kennedy. It was all arranged in a way that maybe Kennedy said yes to it but not to my face and he didn't interview me or anything like that.

**Berkowitz:** And the powers-that-be that you talked about, they sound like they're JFK people too. Was that the—

**Edelman:** The powers-that-be would have been Steve Smith mainly—

**Berkowitz:** Brother-in-law.

**Edelman:** Brother-in-law, and maybe Peter Straus, who I always thought was more of a figurehead, but he was nominally the chair of the campaign, married to a member of the [Arthur] Sulzberger family and owned a radio station at the time. He's still around, she died. Not sure who else.

**Berkowitz:** So a combination of New York and Kennedy people.

**Edelman:** Yes, precisely.

**Berkowitz:** New York is a new project really, even though they had lived there as a family.

**Edelman:** Yes. The campaign certainly was a combination of New York and Kennedy people. In terms of who would have decided to hire Adam and me, I don't exactly know, but your statement is precisely right. So they had, for example, Al Blumenthal who was a state assemblyman, who has since passed away. Jerry Kretchmer—these are the West Side people—who was a state assemblyman who now owns restaurants. Ronnie Eldridge who is now married to Jimmy Breslin, the journalist, she was on the city council for some time, may still be. These were the New York types. Joe Crangle from Buffalo they got to know quite well. Quite a long list. John Burns became the state chairman later on from upstate. Then, you know, lots of Ted Sorensen types, ex-JFK people—

**Berkowitz:** Who were in pretty bad shape too after that, weren't they? That's always struck me that these were people who were running the world and then all of a sudden, one afternoon, they're not running the world. A lot of them seemed to have a sort of depression, as opposed to Bobby.

**Edelman:** When RFK died, [McGeorge] Mac Bundy gave about eight senior members of Bobby's staff, including me, a year of Ford Foundation support. He said he was doing that because nobody had done that for the JFK people when JFK died, and some of them had a difficult time. Anytime you finish, having been at that level and so on, there's an adjustment.

Bob Wood, for whom I worked, who had been the Undersecretary and briefly the Secretary of HUD [Department of Housing and Urban Development], there's a story that they tell in their family about how he drives up in the chauffeur-driven car for the last time to the driveway at their house on Lowell Street, in Cleveland Park in Washington, and his daughter leans out the window and says, "Hello, Mr. Nobody." So it's difficult in any case, but I think, yes, they must have had a particularly—I mean, such a horrible shock.

**Riley:** Where were you?

**Edelman:** The day JFK was murdered? I had had lunch with my friend Tim Dyk, we were both in the Justice Department. He had clerked for the Chief when I clerked for Goldberg. He's my college and law school classmate. He's now a judge of the federal circuit so we go back a long way. I spoke at his investiture. He was a very successful lawyer in private practice for a long time. I'd had lunch with him, and we came back to the Justice Department and someone told us what had happened. We left and went to his house. At the time he was married to William L.

Shirer's daughter, so he and his wife and my wife and I just sat in front of the television at his house. We all know where we were.

**Berkowitz:** Did you go to the Capitol?

**Edelman:** I was in the Air National Guard. I did go to the Capitol, but I was called up for the day and was assigned to be by the side of the road to help keep order in my little green fatigues. I was also a security person at the march on Washington in August of 1963. So talk about being a fly on the wall.

**Germany:** What are your impressions of the transition within the Justice Department from Kennedy to Johnson's administration?

**Edelman:** Not much. My impression is basically one of continuity, just about total continuity. LBJ left Bobby alone, Bobby left the department alone. He wasn't there for quite a considerable period of time. I think I saw him once. Bobby had a way of roaming the halls and sticking his head into people's offices, line attorneys, and saying, "What are you working on?"

**Germany:** That's pretty frightening.

**Edelman:** But he learned a huge amount that way. It was a great thing to do. That stopped, of course, in November of 1963. He also had a tradition of having the younger lawyers who had just been hired come up to his office in groups to talk to him.

**Germany:** Was Katzenbach more in charge of actual day-to-day operations?

**Edelman:** On a day-to-day basis. And you have this very strong cast of characters. By then I think John Doar in the Civil Rights Division, I think Burke [Marshall] had gone by then. Lou Oberdorfer, whom I mentioned before, in Tax, Ramsey Clark in Lands as it was called then, Jack Miller in Criminal, John Douglas in Civil. Antitrust I think by then may have been Don Turner, I think Lee Loevinger was gone. Bill Orrick was there, too. Bill Orrick was Civil and was replaced by John Douglas. So these were probably as strong a cast of Assistant Attorneys General as there has ever been in the history of the country. They were all very bright, very accomplished, very distinguished people. What I saw was complete continuity. No change whatsoever. I was sitting with the Assistant Attorney General, so it was not that I was a kid and totally unaware. I wasn't just a line attorney. As far as I could tell the decision-making was entirely within the department.

**Berkowitz:** When did Bobby quit?

**Edelman:** September of 1964.

**Germany:** You started working for the campaign when?

**Edelman:** September of 1964. Remember, I said, it seemed like an eternity, but it took about—

**Germany:** The transition was later then in some ways. You were gone by the time of the transition.

**Edelman:** “Kennedy to Johnson” said to me JFK to LBJ, that’s the way I heard that question. In terms of when RFK is out of the way, what that means in terms of Johnson having more sway, yes, that’s later.

**Riley:** The Robert Kennedy election was, I’m rusty on my ’60s history, it was in ’64, so he didn’t quit until September for a November election.

**Edelman:** Correct.

**Germany:** You remember that he spoke in Atlantic City where the Democratic convention was in ’64, got that huge ovation with Senator [Henry] Scoop Jackson in the background—

**Riley:** Were you at the convention?

**Edelman:** No.

**Germany:** Then he ran that fall.

**Edelman:** Right.

**Germany:** And you start in September.

**Edelman:** I started in September. He may have quit in late August, I’m not sure.

**Riley:** But the interval was very small.

**Edelman:** Very short, and I was there almost from the beginning of the campaign. They’d probably been there three weeks or so.

**Riley:** It’s striking on sensibilities today, as long as campaigns are now.

**Berkowitz:** The other thing, I think, and you can correct me, he was sort of in play for Vice President at the time.

**Edelman:** Oh, no, that was over a lot earlier. You remember when Johnson said, late spring, early summer, “I’m not going to have anybody in my Cabinet as my Vice President.” That’s earlier.

**Berkowitz:** That’s one of the reasons he stayed as Attorney General, didn’t he? Or he couldn’t think of anything better to do with himself.

**Edelman:** I don’t know. He stayed from November ’63—Part of it was just that he was in shock. I suppose he could have quit, I don’t know.

**Germany:** So when were you first in his presence then in this—?

**Edelman:** In the campaign, I'm producing these little memos on this or that, which, once they're vetted a little bit, are going to be handed to the speechwriters to use.

**Riley:** This is issue based.

**Edelman:** Yes, I'm an issue guy, I'm a policy wonk.

**Riley:** Before there were policy wonks.

**Edelman:** Oh, I'm one of the nation's first opposition researchers, which is the real story here.

**Riley:** Okay, do tell.

**Edelman:** Because they got Bill Haddad, I don't know if you know who that is, who had been the Inspector General in the Peace Corps, he was very close to Sarge [Sargent Shriver] and had run unsuccessfully against Leonard Farbstein in a Democratic primary for a congressional seat that year. He had been set up with a guy named Bob Clampitt in an opposition research operation. They were in a different building and nobody could tell what the hell they were producing and nobody exactly— Robert Kennedy once said to me, "If you trust everything that Bill Haddad produces for you and you don't double check it, you'll wind up in jail."

So Haddad had this whole operation, nobody even knew how many people he had or what they were doing and so on. So John Douglas came to me one day. He was popping up, kind of being an ombudsman, checking on things. He said, "We don't know what we're getting and we've got to do something about [Ken] Keating." So I went to the *Congressional Quarterly* and I produced the material for an ad that became Keating versus Keating. It was a full-page *New York Times* ad. John Douglas and I and maybe Joe Dolan was involved, we wrote that ourselves. Keating as an upstate member of Congress against Keating as Senator, the point being that he had made himself into a more liberal person for political reasons.

**Germany:** He was also dean of the Industrial Relations School at Cornell. I assume he had that background of being—

**Edelman:** If he had been it was either way, way before, or you might have it confused, maybe later.

**Germany:** I'm sure Goldberg would have known. They were in similar kind of labor circles, labor mediation, that kind of thing.

**Edelman:** Maybe so. In any case, there was inconsistency, which may have been simply because he was now a statewide figure instead of a Congressman. So we had this ad, Keating versus Keating and all these inconsistencies. It had a big bang because Ken Keating was regarded as a liberal exactly like [Jacob] Javits. Fresh from our huge success, we did what we called the "box

score ad” that had Humphrey, Javits, Keating, [Barry] Goldwater. It showed that Humphrey and Javits had voted the same or taken the same position on a whole bunch of things, and that Keating and Goldwater were exactly the same on a whole bunch of things.

Meanwhile, Bill Haddad is going crazy. Who’s producing this stuff? Where is this coming from? Then I produced a thing that was like a Rube Goldberg thing. It was one of the two ads, it must have been the second one, and then it had all these flaps on it. So in this one prop I had the total knowledge that I had about Keating’s bad record. They would summon me whenever Kennedy was going to have a press appearance where he might be asked about Keating’s record. I would put it on a bed in the Hotel Carlyle and I would point stuff out to him. I would use my prop. That’s how I started to spend time with him.

**Riley:** Was this all self-generated, you weren’t relying on a template of somebody else’s—?

**Edelman:** No, I made it up. John Douglas was sort of there with me, popping in and out.

**Berkowitz:** We were talking about biographies before. You said the one about Arthur Goldberg was bad. Surely the one about Bobby Kennedy is pretty good then, Arthur Schlesinger. He talks about how listless Kennedy was. Did you find that to be the case?

**Edelman:** For a variety of reasons, which no one can know completely, he wasn’t a good candidate. Whether he was worried about living up to his brother, whether he was just a back-room guy who was uncomfortable being out in front, he just wasn’t very good at it. It seemed like he was campaigning on the basis of being his brother’s brother, but he was embarrassed about doing that. So there was a lot of stuff going on that didn’t quite work.

**Riley:** Was he shy?

**Edelman:** He was. That’s another fact about him. He was a very shy person. It was odd, because publicly he could be very aggressive and in fact, probably some of the extra aggressiveness was because he was making such an effort to make up for his shyness. That’s a very important point.

There came a time, it’s got to be in all the books. There are two things actually. It must be in mid-October. He liked Keating, that was part of the problem, he didn’t really feel comfortable attacking him. Keating accused him of mishandling the Interhandel case. Interhandel was the General Aniline and Dye, it was the U.S. takeover of the assets of this, IG Farben and all that kind of thing. These German companies that had assisted the Nazi war effort in one way or another. I couldn’t tell you the exact thing, but it was called Interhandel and it had something to do with General Aniline and Dye and with IG Farben.

Lloyd Cutler had been appointed to be the lawyer for the process of somehow deciding what to do with the assets. Some kind of deal had been made to sell the assets or move them through bankruptcy for some renovated entity to emerge. Keating accused Kennedy of mishandling it and it just pissed him off. So that was a very important energizing fact. At that time there was a fair campaign practices committee headed by [Edwin] Palmer Hoyt, the then editor of the *Denver Post*, and we filed a complaint with them. So that was one of the things that lit a fire under him.



The other thing was, he went to Columbia to meet with a bunch of students. They were giving him a very hard time about this or that, and he sort of woke up and gave it back to them. It was filmed and pieces of that were used. I think the whole thing might have even been rebroadcast, we might have bought time. But those two events really, as I recall it, energized him. Meanwhile, he was just acquiring experience going out and talking before crowds.

**Riley:** He's still a very young man at this point.

**Edelman:** Yes, he was not 40.

**Germany:** Did you travel with him?

**Edelman:** In the campaign?

**Germany:** Yes.

**Edelman:** No.

**Germany:** So you worked in the city.

**Edelman:** I worked at the Chatham Hotel on East 48<sup>th</sup> Street, which of course does not exist anymore. When I saw him was when I was directed by somebody or other to go to the Carlyle Hotel and meet with him and show him my—

**Germany:** He lived in the Carlyle, that's where his—

**Edelman:** Yes.

**Germany:** That's a family thing too, huh?

**Edelman:** Yes, he lived in the Carlyle.

**Germany:** I see.

**Edelman:** He had that place out in Long Island that was a rented house, which is what was publicized. But he actually stayed in the Carlyle.

**Germany:** Did you talk about the carpetbagger issue a lot with him, how you're going to handle it?

**Edelman:** I'm a kid.

**Germany:** So you're just—

**Edelman:** My job is—

**Germany:** Because as I recall that was the main thing that was going on.

**Edelman:** It was a big thing that was going on but, no, my job is “Senator, you’ve got a debate coming, or a press appearance coming, here’s the stuff that you have to have in mind about Keating.” For whatever reason, he wanted it face to face, he didn’t want a memo. Apparently he liked the way I did it the first time, so I got to go back and do it over and over again.

**Riley:** So how quickly after the election are you approached about—

**Edelman:** They say to me after the election, “Stay in touch, maybe the Senator-elect would be interested in hiring you.” I go off with my then wife to Acapulco, come back in a couple of weeks and I’m directed to call Ed Guthman, who had been his press secretary in the Justice Department. Ed Guthman says, “Can you come to Washington?” Whatever he called him “would like to see you.”

This interview takes place at the White House. Why at the White House? Because Kennedy has hurt his knee playing touch football, so he goes to White House Physician Janet Travell, who had been President Kennedy’s physician, to have her look at his knee. We walk in together at that side entrance between the Old Executive Office Building and the White House and she bangs around on his knee, gets done with that. We walk out and he perches himself on the fender of a car that’s parked there.

**Berkowitz:** We’re talking about that alleyway, that driveway between the two of them?

**Edelman:** Yes.

**Riley:** Executive Avenue.

**Edelman:** So I’m ready, he’s going to ask me what books I’ve read lately, what are my strengths and weaknesses. All he says is, “You going to go to work for me?” I said, “How much are you going to pay me?” That’s the only thing I could think of to say. He said, “You can work that out with Ed here.” I said, “Oh, well, I have this problem. I’m three and a half years out of law school and I haven’t practiced law.” He says, “I had that problem and I worked it out.”

**Berkowitz:** Became Attorney General. [laughter]

**Edelman:** So that was it. Then I was working for him. Although I didn’t see him a lot between then and when we started in January. I saw him some. I did travel with him upstate, he went around to thank people and I went along, but I don’t have a lot of recollection of what happened between—that was, say a month or so.

**Riley:** You did mention when we chatted earlier that you’ve done an oral history for Bobby Kennedy, so—

**Edelman:** Yes.

**Riley:** So if we hit the high points here we're not—

**Edelman:** Sure, whatever you like.

**Berkowitz:** I'm just curious about the—that's typical that the money stuff, that none of them know about money, but they also used to pay more, that's the rumor—

**Edelman:** Pay what?

**Berkowitz:** Pay more than the other people on the Hill, like the other Senator Edward Kennedy's staff so, maybe, I don't know where that money came from, the family or—

**Edelman:** Yes, but not a lot. I think we got a couple of thousand more than the salary. I mean nothing, very small. Then when he would get royalties from something that he wrote that one of us had helped on he would give those to us or share those. In any case, supplement it in that way. We didn't have any complaint about it, we thought it was fine, but it wasn't as though it was some massive subvention.

**Riley:** What was your portfolio in the Senate office?

**Edelman:** Everything that wasn't Adam's, or Adam's was everything that wasn't mine. Adam was more foreign policy, I was more domestic. Adam was more speechwriter and I was more issues. Things that involved legislative hearings I was more likely to handle. Managing floor statements, things that went on on the floor, I was relatively more likely to handle. But Adam did a lot of work on education and some of the poverty work. I had a long, long list of things. I had agriculture, transportation, veterans. One of the first things that happened was Johnson tried to close down three veterans' hospitals. That's where I cut my teeth. We conducted a huge fight, a rather nasty fight, where we screamed at the poor veterans administrator who was just being told by Johnson what to do. He didn't care what hospitals got closed. He was a nice man. I think he was actually probably a pro-Kennedy person. As time passed, the plurality of my work was about poverty and race.

**Germany:** What kind of relationship did you have with Larry O'Brien and Mike Manatos?

**Berkowitz:** Who was working for the White House—

**Edelman:** Mike Manatos I don't think I ever met. Larry O'Brien, not much. Kenny O'Donnell we used to see a lot. I knew Kenny pretty well.

**Germany:** The impression that Larry O'Brien really did get, he worked for Johnson, which was anathema for—

**Edelman:** Yes, so he was sort of out of the picture. I don't know if Bobby talked to him, but my sense is that Bobby thought he'd gone over to the other side.

**Berkowitz:** By 1965 it's already pretty clear there are two sides, right?

**Edelman:** Oh, you bet, very quickly. The relationship with Sarge was very uncomfortable for that reason. I've come to love Sarge in later years, but the impression I had of Sarge while I was working for Bobby was that Sarge was pursuing his own agenda, in business for himself, that kind of thing, not really loyal to the family.

**Germany:** So you think that Johnson's Congressional Liaison staff didn't work closely with Kennedy's Liaison staff because of the so-called feud between the two, or was it a more party—

**Edelman:** I don't know. The relationships that we had in the White House were—Joe Califano was one I talked to fairly frequently, not every day but now and then. When Johnson established the Urban Institute, I think in 1968, for reasons that I didn't understand and still don't, Joe Califano called to tell me to tell the Senator they were doing that. I guess it was because they were worried that we had been so critical of Johnson on urban policy. So we didn't have a lot of relations. Bill Moyers from time to time.

**Berkowitz:** Bill Haddad was chief of the Office of Inspection of the OEO [Office of Economic Opportunity], did you have relations with him? He was there briefly. Did things carry over from the campaign?

**Edelman:** He was gone by then. That was before the '64 campaign, I believe. Does he come back?

**Berkowitz:** I'm not sure of the chronology. He's only there briefly.

**Edelman:** Bill's a friend of mine. I don't remember working particularly with him during those years. No, mostly we didn't have a lot to do with the Johnson White House. We had relationships in the Executive Branch, some of them were ex-JFK people who were still there, who revered JFK's memory or wanted Bobby to be President. There was a guy named Jim Thornton who was just a middle-level bureaucrat in USDA [United States Department of Agriculture] who—Orville Freeman and Bobby had a good continuing relationship, but I don't know whether this guy was doing it on his own or because Freeman told him to. He called up and said to me, as the agriculture expert, "I'd like to get the Senator involved in some agricultural issues in New York state, and I'd like to take you, Peter, on a tour to show you some rural poverty and some farm-related issues."

So Jim Thornton and I went in a small puddle-jumper plane. It was all connected to the Ag [Agriculture] School at Cornell too, they were in this play somewhere. Maybe they had put him up to it because they wanted to have a good relationship with our office. But I learned about chicken shit. It turns out it's like pig shit. It's very difficult to dispose of. There had been some kind of building that had been absolutely filled with chicken shit and the wall had collapsed and this was in the Catskills. It was right near Grossinger's [Grossinger Golf and Country Club] and all the big hotels in the Catskills. And this putrid smell of chicken shit had crossed the countryside and all of the tourists were appalled, "What's that smell?" So it was very important for the government to invest some money in figuring out a way to transform chicken shit into something else so that there wouldn't be this problem anymore.

We went and we looked at that on our tour. But I remember the first time I ever smelled poverty. There's a certain smell that's associated with poverty because people live in a house that's rotted and there's a lot of mildew. I remember walking into a house somewhere upstate, and I had never smelled that smell before. You could see the space between the floorboards, you could see the dirt, you could see space on the walls, and this was just shocking to me. A brand-new experience for me.

**Germany:** Of course that became your issue, certainly his issue. Did you say you went to Mississippi with him? Were you involved in all that?

**Edelman:** Yes, that's how I met my wife.

**Germany:** What year was that, '67?

**Berkowitz:** April '67.

**Edelman:** Yes, the first big thing we did, because the Thornton thing is about the relations with the Johnson administration, except I love the chicken shit story.

**Berkowitz:** Johnson always liked to say he knew the difference between chicken shit and chicken salad.

**Edelman:** Yes, well, we did too. We just didn't flaunt it. One thing I did early on was in November of '65. Kennedy was on his way to Latin America and, because I was being left behind, he asked me to go with him to Los Angeles. He was giving a speech at the Commonwealth Club in LA. So he just asked me to go with him, he didn't really need me to go with him.

**Berkowitz:** Commonwealth Club in LA, not San Francisco.

**Edelman:** No, definitely LA. Maybe it's something else, maybe it's not called the Commonwealth Club, but it was definitely LA because we went to Watts afterward. That's also the day where he made the comment about giving blood to the Vietcong.

**Berkowitz:** And when you went to Watts, what was that like?

**Edelman:** We got done with the speech, we had this flap about the blood for the Vietcong. I'd gotten on the phone, he'd gotten on the phone, we'd handled that. Didn't have anything to do. I said, "Maybe we should go to Watts." He said, "Good idea, let's do that. Do you know anything about it?" I said, "Well, I read about the Watts Towers in the *New Yorker*." There was this guy who had built this incredible thing of Coke bottle caps and things. So we got in a taxi and said to the guy, "Take us to Watts." He dropped us off at some street corner in the middle of Watts, and Kennedy started talking to people.

**Berkowitz:** When he said, “Do you know anything about it?” you didn’t say, “Well, I read about the Watts riots.”

**Edelman:** Well, no, we both knew—

**Berkowitz:** That was built-in comment.

**Edelman:** He’d given a big speech right after the riots and I’d worked some on the speech. He meant did I know anything about the specific local geography.

**Riley:** Were there press people following you?

**Edelman:** No, it was just the two of us.

**Riley:** Was he comfortable in that environment?

**Edelman:** Totally.

**Riley:** The shyness fades away when he’s in that—

**Edelman:** Oh, he loves to talk to people. That’s different. He loves to talk to children particularly, that goes back to the shyness. But there was this man who, he said to him—I don’t know that the guy knew who he was. He just said, “How you doing, so and so. So what’s the problem out here?” The fellow said, “It’s the flustration [sic].” The point of the story is, I was beginning to learn about stuff.

**Berkowitz:** It sounds like you’re getting close to him too.

**Edelman:** Back in about April of ’65, he testified—I wrote some testimony about the New Haven Railroad, like I was the expert on that, too—there’s just two of us, Walinsky and me. Later on there’s Jeff Greenfield and there’s Mike Curzan and Wendell Pigman and Lew Kaden, but at the beginning there’s just two of us. So on 15 or 20 different subjects, I’m a huge expert.

**Riley:** What’s the age differential? How much older is he?

**Edelman:** He’s 39? His birthday was in November. He’s 39, and I’m 27 in January ’65. So he gets done testifying—this was in New York about the New Haven Railroad—and he says, “Let’s go see Jackie [Jacqueline Kennedy].”

**Berkowitz:** And you were pretty good with that style where they have no hours and you’re at their beck and call, and there’s that informality that I’m sure was maddening to a lot of people who were in that setting. That didn’t bother you. You liked that he’d call you—

**Edelman:** He didn’t call you in the middle of the night, but he expected to have something done when it was supposed to be done. He didn’t care if you had to stay up all night to do it. I didn’t mind that, no.

He ran a completely open-door office, so if he was around you didn't have to make an appointment that you'll see him at 11 o'clock, you could just say to Angie [Novello], "Is he in there? Is he on the phone?"

**Berkowitz:** Was he smart?

**Edelman:** He was brilliant, absolutely brilliant. He had a capacity to finish your sentence. You could start talking about a subject he knew nothing about and he would get the drift like that [snapping fingers] and he would finish your idea. It was an intuitive brilliance, he could just figure out what something was about with the smallest amount of input.

**Berkowitz:** It sounds like he was aural—

**Edelman:** Very aural.

**Berkowitz:** He didn't read, but he could hear.

**Edelman:** Oh, he did read. We would send memos. He was a five-sense person. He loved to go out and talk to people; he loved to see people and listen to them and the example of the story about the man in Watts, and talking to the people when we went down to Mississippi, playing with the hungry child. Trying to get a reaction from the child who was half starving on the floor of the house there in Mississippi or talking to the families in Appalachia. He was a reader, he always had a book with him. He was really a five-senses person.

**Berkowitz:** And you were there too, it seems to me, in this time of transition, so if he's conservative, he becomes a liberal before he dies. You don't think he was ever a conservative when you saw him?

**Edelman:** There are two schools of thought about that. There's the good Bobby/bad Bobby and some sort of a switch from the one to the other. Then there's the "evolution Bobby." I'm definitely in the latter camp. You look at who he befriends, who he is interested in growing up. The pop psychology, if it is that, of Evan Thomas. Is it that he's the seventh out of nine? That he's got to sort of fight for the food on the table? Is it that he had to fight for his father's attention, the Evan Thomas theory? He's clearly a very mixed bag of a human being as he's growing up. There are so many stories of his rudeness and his priggishness, his moralism, how judgmental he is.

The [Joseph] McCarthy thing, I think ironically didn't have anything to do with his agreeing with McCarthy. I think he did that to please his father. But nonetheless, the fact that he didn't have the sense to stay away from that—he learned fast. He didn't stay there very long. So I actually don't include that much on my list. But he clearly was, in many ways, an unattractive person. There are so many examples of his anger. But at the same time, he's always most interested in people who aren't like him and who don't come from privileged backgrounds. Why does he get friendly with Dave Hackett at Milton Academy?

**Berkowitz:** Dave Hackett was this charismatic, athletic guy, no?

**Edelman:** Yes, but—

**Berkowitz:** And that fits into this sort of worshipful personality that he had.

**Edelman:** Wrong. David Hackett is a townie. David Hackett is from a poor family, he's a scholarship boy, and he doesn't live on campus and in fact he's a loner.

**Berkowitz:** Okay.

**Edelman:** So it absolutely fits the story.

**Germany:** So why do you think he looked to Hackett for the juvenile delinquency?

**Edelman:** Because the Kennedys had this thing about anybody can do anything, which is only partially correct. That's why. "That's my friend and he's a smart guy and I really think he's good at anything, so I'll install him—" David didn't know anything about any of that stuff. That was why.

For example, the first thing he does as Attorney General is he installs David Hackett in an office that opens into his office to work on juvenile delinquency, which really means disadvantaged youth, at-risk youth.

**Berkowitz:** But again, isn't it the case that that's a good example of how that's a part of his personality because the whole business of juvenile delinquency was a Eunice [Kennedy Shriver] thing. They have also this universe of issues that they handle governed by the family within the family.

**Edelman:** He likes kids. I don't know whether it's Eunice. He's always very interested in children, no question about it. He sees the question of race and poverty through a prism of, in this case, young people. During the whole run up to the Bay of Pigs, he goes and gives some speech in Manhattan about anti-Communism, and he and Dave Hackett walk up to Harlem together where they have meetings with gangs, one black, one Italian. Sure, it's a little complicated and fits in with various prisms and so on and so on. But what it's basically about is that he's interested in these kids who don't have enough opportunity and that's long before JFK dies.

You know Nick Rodis was his friend when he was in the Navy and I think they were the best man at each other's weddings, or one of them anyway, and Nick Rodis is a working class guy from Connecticut. He always had that instinct for people who were outsiders, so it was always a more complicated picture.

**Germany:** Do you think he thought of you as an outsider?

**Edelman:** Me? I don't think so. I'm just a smart kid. I think that's all I am.



**Berkowitz:** You're not Dave Powers, you're Ted Sorensen.

**Edelman:** Well, I guess so, as far as the comparison goes.

**Riley:** Or Peter Edelman.

**Berkowitz:** He had those types too, they were the kind of hangers-on—

**Edelman:** Bobby didn't have much of that.

**Berkowitz:** He didn't have that, unlike Jack.

**Edelman:** No, he didn't have much of that. I don't think there was a Dave Powers. He was so eclectic. He was friends with movie stars and Russian poets, and he did admire Douglas MacArthur and he was very eclectic.

But just to finish the point, as they went along with that David Hackett planning, they became quite aware that it was about poverty. There was a point at which Len Duhl told me—Len Duhl is my friend who was working at the National Institute of Mental Health at the time—Bobby called the whole Cabinet together and locked the door and made them sit there and talk about poverty. So it's just not a bright line transition.

Two things are true after November 1963. One is, however you're going to put the grief into the equation, and it's definitely in there, and the other is now he's on his own. He can be whatever he is. Up until that time, he's JFK's guy and so whatever he does is going to be for JFK, not what he himself would do left to his own devices.

**Germany:** How did he feel about OEO after Johnson really put his stamp on it? Because OEO had really been a Kennedy product and then Johnson—

**Edelman:** He was very supportive. Now remember that there were two pieces of OEO that were his creation that came out of these meetings I was talking about. One is maximum feasible participation, and Bobby's really the father of community action, for better or for worse, since it became very controversial. And the other is VISTA [Volunteers in Service to America]. He had a huge commitment to the idea that young people should have the opportunity to serve the community. And he's a big backer of OEO.

What were we doing going to Mississippi when I met my wife in 1967? The Head Start program down there, which was the largest Head Start program in the country, was under virulent political attack from the Mississippi political establishment. We were going down there as part of a set of field hearings about reauthorization of the poverty program, but we were going down there to give a stage, a microphone, and a voice, to the Child Development Group of Mississippi [CDGM].

**Riley:** Can you tell us that story now?

**Berkowitz:** Before you do, just to set that up. Bobby's committees I guess were Education and Labor.

**Edelman:** Yes, it was called Labor and Public Welfare then.

**Berkowitz:** Which was not Harrison Williams—

**Edelman:** Harrison Williams was a member of the committee and Chairman of the Migratory Labor Subcommittee, so that when we went to see Cesar Chavez, Harrison Williams chaired the hearings. This was Joe Clark and it was called the Employment, Manpower and Poverty Subcommittee.

**Berkowitz:** And they set up field hearings—

**Edelman:** They set up the field hearings.

**Berkowitz:** In Mississippi.

**Edelman:** Yes. There was a field hearing in Chicago, there was one out in California that I didn't go to, Frank Mankiewicz went to staff that. There were a number of them.

**Berkowitz:** And the one in Mississippi, when was that exactly?

**Edelman:** April of 1967. That's how I met my wife.

**Germany:** Had you been to Mississippi before this?

**Edelman:** No, I never had been. The main thing about that story is that we saw—it's all in my book if anybody wants to pick that up—what's most of interest about that was that we saw this incredible hunger in this wealthy country. There's the famous story of his going into this house where there was this child on the floor and getting down to try to get some response from the child. My wife—not then my wife—and I happened to be standing there and saw that. The other part is he comes home and this man who could be so taciturn, who could just sit for hours at a time and not say anything, can't stop talking about it. His children remember that vividly. I've talked to Kerry [Mary Kerry Kennedy Cuomo] about it in particular. He says to them, "*You've got to do something about this.*" She said to me that he never lectured them about their responsibility to do public service. He never told them what they were supposed to do. Perhaps it was just understood. That's the only time she can remember where he said, "*You've got to do something about this.*" It was powerful. Of course it was. Seeing these children with swollen bellies and sores that wouldn't heal. It was just horrible.

**Berkowitz:** Did you have any dealings with Senator [John] Stennis or Senator [James] Eastland?

**Edelman:** We did. There was a group of physicians that went down there, financed by the Field Foundation—

**Berkowitz:** Robert Coles?

**Edelman:** Robert Coles and others. Ray Wheeler in particular, who was the only southerner, was a physician from Charlotte, North Carolina, and a man named Gordon Harper, and I don't remember who the others were. They examined hundreds of children and found pernicious anemia and rickets and all these exotic diseases we didn't think we had in the United States. So Robert Kennedy and Joe Clark arranged to have a hearing where the physicians could come and present their findings, and invited Stennis and Eastland to that hearing and they came. Eastland sat there with his huge cigar, but he sat there the whole time. Ray Wheeler talked about how ashamed he was as a southerner to have that in his native region.

Then about a month later, I don't have the exact time frame, we were in Harlem for some completely other reason. We got a phone call that Stennis had offered a \$10 million amendment to get some money for hunger. We had this conversation about whether we should attack it or not, and Kennedy said, "No, let's just welcome it. That's only a start but it's a start and it's in the right direction."

**Berkowitz:** In the Senator's mind, was this a black thing? Did he connect it with race? The discussion of poverty, it was a disgrace that black people were poor or was it more general than that? It's a disgrace that people are poor.

**Edelman:** Remember he's got a background in Appalachia as well, going back to President Kennedy, and he's always very interested in Native Americans. So no, he doesn't see poverty solely in black terms. He understands and sees it disproportionately as opposed to white people, being people of color or minorities. Cesar Chavez, farm workers, that's not black. So no.

You know the story about why there's so much hunger in Mississippi—because the powers-that-be decided to try to drive black people out of Mississippi. So it's definitely racist. I can give you the details of that, but that's essentially what was going on. But he wanted to hold hearings about hunger in other places. We only ended up doing one other trip, which was to eastern Kentucky, which is white, in February of 1968.

**Riley:** At what point does he start thinking about running for President?

**Berkowitz:** November 1963?

**Edelman:** I was going to say you'd have to have an x-ray of his brain to know about that, but in terms of taking on Johnson as opposed to waiting until 1972, it must begin to cross his mind after Pleiku, after Johnson escalates the war in '65. Then in February of '66, he gives that speech about sharing power and responsibility, which is very confrontational with Johnson. By that time there clearly are two camps in the Democratic Party.

Then in the '66 elections he really goes and campaigns for Democrats all over the country, which is intrinsically the right thing to do but has to be related to other things. Adam Walinsky writes a

brilliant memo after the '66 elections saying, "Johnson is finished and you've got to think about running." Kennedy pretended to ignore that.

So it's there all the way along. In the fall of '67, Allard Lowenstein comes along very explicitly urging him to run, and we were definitely across a line at that point in terms of being out in the open. But as you said—

**Berkowitz:** He tells Allard Lowenstein no, right?

**Edelman:** Yes, he does.

**Berkowitz:** So that was still the official line at that point.

**Edelman:** You'll never know. If he was still alive you wouldn't know because he was such a complicated man, and in any case, we all have different influences, different things—he came from a family that believed in winning. He's the quintessential transitional figure in so many ways. He has one foot squarely in machine politics. He knows how to do nuts-and-bolts, traditional Democratic politics, how to relate to bosses, all that stuff. And he's friends with Tom Hayden and all the new politics of the time, and that's all swirling around in his head. So there's a part of him that *is* a cause-oriented person, and he's very conflicted about that. But his daddy taught him you don't go into something you can't win.

So that's all going on there. Besides that, he's got this feeling that he expressed many times—not so much around whether he should run or not—but that was clearly there, which is anything he does that's confrontational to Lyndon Johnson is going to make Lyndon Johnson do something worse. I notice you had Jeff Shesol. Jeff wrote that terrific book about the conflict. If you haven't read it, it's a great book. Why does Kennedy stop talking about Vietnam after February of 1966? He doesn't say anything about Vietnam until about a year later when he makes the speech about stopping the bombing, because he's really worried that if he takes on Johnson too directly, Johnson's just going to drop more bombs.

**Berkowitz:** Yes, and he had to decide that that's not what Jack would have done, right? That would have been another way he could—

**Edelman:** No, I wouldn't say so, not by then.

**Berkowitz:** He's free of Jack?

**Edelman:** I think it's still on his mind maybe in '65. He gives that speech that's a criticism of going into the Dominican Republic in May of 1965, or late April. Arthur Schlesinger wrote it, it has a part in it about questioning what we're doing in Vietnam. It's his first public statement questioning the war in Vietnam. There was a reporter named Ted Knap, from the old Scripps-Howard *World Telegram*, who calls me up and says, "Is the Senator saying that this isn't what President Kennedy would have done?" I said, "I don't know, Ted, maybe." The next day, huge headline: "RFK: JFK would have done it differently."

So I went in and I confessed and I said, “This is all I said. He’s twisted it. That was totally unfair.” He was furious at me. He stayed mad at me for, I don’t know, a couple of weeks. I was in the doghouse. So that’s got to be reflecting some internal struggle that’s going on. He said, “Don’t you ever speculate what President Kennedy would have done. He’s up there, we don’t know what he would have done.” So I think it’s about breaking free.

**Berkowitz:** Did you feel comfortable talking on that subject? I’ve noticed that’s something that when people meet members of the Kennedy family, there’s a question of whether one talks about that or not.

**Edelman:** What’s the subject?

**Berkowitz:** The national tragedy, that his brother is dead and so on.

**Edelman:** Well, what’s to talk about?

**Berkowitz:** Did he talk about his relationship with his brother or was that something that was just not mentioned with his staff?

**Edelman:** Mostly not. Sometimes he would say something they had done if it was relevant to a conversation, “Well, we did so on and so forth. This is how we handled this when it came up before.” Some analogous thing. When there was a business reason for it. Maybe with somebody, but I told you before, this is a very introspective man, who doesn’t share his introspection, who resists being analyzed by anybody else. So the answer is no. But it’s not because it’s taboo, maybe it is taboo, but you just don’t talk about it.

**Germany:** One quick question about the relationship you had as his assistant. You primarily focused on the domestic side. Did you find that you became more focused on international issues as his profile got much larger in terms of taking it—I’m thinking of ’67 and ’68.

**Edelman:** On Vietnam, we were all in it. I didn’t write, but anytime there was something major, like after the February ’66 speech where Johnson unleashed everybody on him, and quite calculatingly unleashed RFK’s own friends in the Cabinet, made them go out and attack him. It was a very unpleasant time. We were hunkered down in his office for a period of two, three, four days. It wasn’t a big staff. It was Joe Dolan and I think Frank Mankiewicz was there by then and Adam and me. He would maybe talk to Dick Goodwin or Arthur Schlesinger or Burke Marshall on the phone. It was a very small number of people. So I was in anything that went on related to foreign relations.

**Germany:** This is assuming that Mississippi is not considered a foreign country.

**Edelman:** But I didn’t go to South Africa with him. I wasn’t involved in the planning. I didn’t go to Latin America with him. Any speech that had to do with Vietnam I was certainly there. There was a time on the stop-the-bombing speech, in 1967, I had strep and I’d been home and I struggled into the office. They sent the draft by and I had read it and had struggled into the office

to be there for the last meeting on it. He didn't say, "How you doing? How are you feeling?" He said, "Am I done enough for you?"

**Riley:** Well, I've been notified that they're ready for us downstairs so why don't we break now for lunch and we'll come back and try to wrap up—it's a fascinating discussion.

**Berkowitz:** It seems to me that we have two things on the table. One is we haven't talked about the campaign—

**Riley:** Presidential campaign?

**Berkowitz:** The 1968 campaign. But then we have that Mississippi story and Marian Wright Edelman and so on.

**Edelman:** If you want the story in more detail, I'll tell you, I've written that whole thing in my book, not to waste your time. I'm perfectly happy to do it. It's not any reserve or reluctance on my part, but I do tell that whole story in my book.

[BREAK]

**Riley:** I think we can go ahead and continue with the biographical questions although we'll probably need to move a little more expeditiously up to the subject matter.

**Edelman:** Sure, I'll move as fast as you want to move.

**Riley:** I do think it would be useful for us to hear a couple of things that will be relevant when we come to the later period, at least from my perspective, and I don't want to completely shut this off because I want to check with these two also about their interest in the pre-Clinton years. But that would be the presidential campaign work that you did, which began in '68. Then in 1980 you had a prominent role in the Edward Kennedy campaign. Then of course we'd like to transition from that into your earliest associations with Bill Clinton, when those come up.

But that means that there's an awful lot of stuff that I'm not touching on and again, I want to make sure, there may be some areas of discussion, recognizing we can't get to everything that my colleagues here would want to probe you a bit about and I think we have enough time to spend some energy—

**Berkowitz:** I might ask a UMass question.

**Edelman:** Do you want me to do what you just said then, or do you want to do something else first?

**Germany:** I think that would be great. Somewhere in there I'd like, at some level, to talk about your role in New York State in the Division for Youth.

**Edelman:** Why don't we do those two after we do that or either way around, we can do those two and then do that.

**Berkowitz:** Why don't we start taking about the 1968 campaign?

**Edelman:** The 1968 campaign, that follows on where we were before. First of all, the question of his decision to run. He had so many conflicting stimuli and conflicts inside himself. One little story I want to tell is that he and I were in San Francisco at the end of 1967 for some hearings on education of Native American children. We went to have a meeting with Jesse Unruh who was the Speaker of the California Assembly at that time, or maybe he was already Treasurer of the State of California by then, to explore what Unruh would be willing to do if Kennedy did decide to run. That's important in a number of ways, because it says that he's thinking about it, regardless of what he has said to people. It was just Kennedy and me and Unruh and maybe one of Unruh's aides.

They danced around all evening. About all he got out of Unruh was a commitment that Unruh would be willing to pay for a poll to see how Kennedy would run in California. We walked out of there and he said to me, "You know, if I had Larry O'Brien with me, I could have left him behind to continue the conversation because he could talk the balls off a brass monkey." We get into the car and I say, "Senator, you've been talking to lots of people all fall. You know where I stand on this but I haven't said it out loud, so I want to tell you I hope you'll run for President."

He said to me—and I'm sure it was just temporizing, because I think he was actively thinking about running—he said, "I don't have anybody to do for me what I did for my brother." Now that's a very interesting comment if you think about its implications. I'm sure there are other things other people can tell you, or that I've forgotten. He goes to the [Godfrey] Sperling breakfast on what turns to be the morning of the Tet offensive. The news of the Tet offensive comes over the wire while he's in there, not known to him. While he is in there he says that under no foreseeable circumstances will he run for President and walks out of the Sperling breakfast to find that this has happened. That is a major piece of unfortunate timing, because it tied his hands at least for a while, where if he hadn't said that, he would have been able to move sooner.

Do you all know what the Sperling breakfast is?

**Riley:** Sure.

**Berkowitz:** I don't.

**Edelman:** Godfrey Sperling was the long-time *Christian Science Monitor* Washington correspondent who had a regular breakfast that journalists could come to. They had to pay their ten bucks or whatever it was. I think it was off the record, but of course, everybody knew that he had said that and that would have been one where lots and lots of reporters would have been there.

**Berkowitz:** That would have been January of 1968.

**Edelman:** January 30<sup>th</sup>.

**Berkowitz:** So [Eugene] McCarthy is already in the race.

**Edelman:** Oh, McCarthy is already in the race—

**Berkowitz:** Which I take it was not considered a very serious thing by Kennedy.

**Edelman:** Robert Kennedy had very little respect for Eugene McCarthy. I don't know what he thought initially. By that time, Dick Goodwin was in the McCarthy campaign. So by that time he's getting reports back from New Hampshire at night. Dick is calling and he's saying, "Bob, he's really doing well up here. Bob, there's polling data that says he might win this thing."

By January 30<sup>th</sup>, Kennedy knows some of that and nonetheless makes that statement at the Sperling breakfast.

**Riley:** Maybe not in an era of CNN, the news probably comes here before it gets—

**Edelman:** What do you mean?

**Riley:** I'm sorry. It's a digression but I'm struck by the fact that he gets the news of Tet after the meeting, although the information is probably flowing through the pipeline as he's addressing the meeting. I'm trying to put that in a contemporary context and say, well—

**Edelman:** Somebody would have a cell phone that printed out the message while they're sitting in there and they would say, "Senator, the news has just come—" That's right, the technology is quite different.

The next piece, in terms of what I have to say about it personally, is that on March 10<sup>th</sup>, two days before the New Hampshire primary, he goes to California. Cesar Chavez has been on a fast, and he's been on this fast for about a month and his people have been in touch with me. I'm the person in the office who deals with his people, and they said, "Cesar will not break the fast until Robert Kennedy comes out here to break the fast with him." Now think about the meaning of that statement.

I take that to Kennedy and he doesn't say to me, "What's he talking about?" he says, "Okay, I'll go out there." He says, "March 9<sup>th</sup> I'm at a fundraiser in Des Moines anyway, so we'll just keep on from there, we'll go on out to California." So we do that. In Los Angeles, we're getting on a private plane to go from Los Angeles up to Delano, to Cesar Chavez's headquarters, and there is Ed Guthman and John Seigenthaler. What are they doing there?

We get on the plane and on the way up, he tells us he's going to run for President. This is important in a number of respects. One, it's two days before the New Hampshire primary, so you can say, yes, he knew what the polls were, but still it's two days *before* the New Hampshire



primary. The other is, there was a stupid film with actors that was made about Robert Kennedy that implied that Chavez spoke to him about the need to live by your principles when they saw each other, and it was that that caused him to decide to run. Wrong, he told us on the way up, before he saw Cesar Chavez, that he was going to run. Two days later, New Hampshire primary, four days after that Robert Kennedy announces.

**Berkowitz:** Were you in the house the night before, described by Schlesinger as this frenetic night preparing a final statement and so on, up to the very last minute, people staying in different bedrooms and so on?

**Edelman:** I don't think so, no. I don't think I was involved in that at that point. There were so many different people involved. I was a secondary speechwriter. I wrote a lot of speeches, and certainly, as I said, I was in on all the Vietnam speeches. No, I don't think I was there. I know I was there the next day. In fact, there are pictures of us all running to the announcement and so on.

You asked about my role in terms of running the issues. There isn't anything huge to tell you about that. Walinsky and Greenfield went on the plane, I stayed back in the headquarters to be the person who pulled together the material and got it to them. We would be on the phone at 2 or 3 in the morning. I would be making calls. I staffed up a new staff of people, some volunteers and a few people we hired.

We had most of the material we needed, at least in terms of running the primaries, because we had a long record of introducing bills, making floor speeches, making other kinds of speeches. We knew each other very well, so Jeff or Adam or I could write something. Some of the things I did in addition to servicing the candidate on the plane were to get a series of position papers prepared. I could talk to Kennedy on the phone and say, "We did a paper on so-and-so and it says this and this. It's just what you've already said on so-and-so." He'd say, "Fine, go ahead and put it out."

We would have had to, I'm sure, organize ourselves quite differently for the general election. But for purposes of the primaries, we basically had everything in the bank and we could just pull it out and use it.

**Berkowitz:** In 1968 there were no fax machines around. How did you send materials? I know you used the phone to talk to someone. If you had to send a text of something, you wanted to send words out. I guess we'd do it by computers today or something.

**Edelman:** You would put a draft on an airplane.

**Berkowitz:** You'd send it with them or send it on a different plane?

**Edelman:** Either that or you would read it to somebody and they would take it down.

**Riley:** That's how news reporters were doing it at the time, basically reading their text to a transcriber.

**Edelman:** If we were drafting something that they needed word for word, you would read it to them out there and somebody would type it and take it down.

**Berkowitz:** It's interesting. They had to type it. You can make a mistake, you type it again. It's a different world.

**Edelman:** Yes, no fax machines then. By 1980 yes, but not in 1968, no fax machines, nothing else.

I started to go on the road with him during the Indiana primary, a week or so before the Indiana primary. One time he was going to deliver a speech at Purdue. We're in a bus going there and we're standing in the front of the bus, just in the well of the steps. I said, "By the way, Senator, we're putting out a position paper on welfare and jobs and it's got all this stuff in it that you've said." He said, "Well, tell me more." I said, "It says that there should be a guaranteed income." He said, "I'm not for a guaranteed income." I said, "You've said it a number of times." He said, "No, no, I'm not for a guaranteed income, I'm for guaranteed jobs."

So I said, "That's fine, I get it." So we rewrote the thing a little bit, didn't say anything that was different in substance. His point was jobs are what we want to talk about. Go on to say that for someone who can't find a job, there has to be cash assistance, but jobs are what you're for.

We'd developed by then a way of speaking shorthand and understanding each other. He spoke shorthand anyway. But you could have a very concise conversation in two or three sentences that could, because of all the background, give me or any of us enough to go and do something fairly complex. I don't know that there's much more to say about '68.

**Berkowitz:** When did that Indiana, that was—

**Edelman:** There was this big fight.

**Berkowitz:** I was going to ask about another thing. Wasn't the Senator was in Indianapolis when Martin Luther King died?

**Edelman:** Yes.

**Berkowitz:** So that must have been also before the Indiana primary.

**Edelman:** Yes.

**Berkowitz:** What was your—

**Edelman:** I was in Washington.

**Berkowitz:** Remember that day?

**Edelman:** Yes, my wife and I, she was not yet my wife, we got married later that year.

**Germany:** You were seeing one another.

**Edelman:** We were affianced, had dinner at the Cosmos Club with Judge David Bazelon and our friend Jim Flug. Went into the Cosmos Club, interesting in and of itself, only recently had admitted blacks, I think had not yet admitted women.

**Berkowitz:** That's right, they could only eat in a certain place.

**Edelman:** Yes, unless they were a guest. Went in, had dinner, came out, found out that Dr. King had been—so that's where I was.

**Berkowitz:** You say you were with Marian?

**Edelman:** Yes, I was with Marian and with David Bazelon and another friend.

**Berkowitz:** Had you met Dr. King?

**Edelman:** No.

**Berkowitz:** She must have.

**Edelman:** She knew him very well. When we got married, the *New York Times* had a news story that said, "Aide to Kennedy marries aide to King." That was the story. No, I don't think I ever met him.

**Berkowitz:** Then the Senator—

**Riley:** Although you were doing security duty at the march, you said.

**Edelman:** Yes, that's true, I saw him.

**Berkowitz:** The speech in Indianapolis, usually cited very favorably, the Senator spontaneously talking about—was that in fact spontaneous?

**Edelman:** Yes, he just got up and talked. And if you read it literally word for word, he says some things that aren't quite precise or polished, but of course it's powerful. He says, "My brother was murdered, but he was murdered by a white man." What does that mean? If you look at it he says that. Anyway, I was not there.

So I was going to tell you, maybe it's not worth going into. Indiana was a state where Robert Kennedy campaigned and used the phrase "law and order." Some of the liberals on the staff, especially Walinsky, who was a liberal in those days, and Tom Johnston, were just furious, they thought it was just awful.

**Riley:** Because George Wallace is out facing him as the law-and-order candidate.

**Edelman:** And my view was, look, we know what Robert Kennedy means, it's the pejorative of the words that gets people upset. The words "law and order" are fine. Law and justice is better, but law and order, in the dictionary, it's not awful. He doesn't mean anything different by it from what he meant last week or the week before. So that was an interesting little staff inside fight.

But in terms of if you're looking for insight about how one organizes a campaign, I think maybe that's the most interesting insight, the technological difference.

**Berkowitz:** And the night in California, where were you?

**Edelman:** I had participated in the briefing for the debate, the debate where Kennedy does this demagogic thing of talking about what Eugene McCarthy wants to do is move all the blacks to Orange County, which just infuriated—I was included among the infuriated on that one. What he was doing is he was taking his Bedford-Stuyvesant thing, what we were going to do is we were going to build up the inner city, and he was turning the dial over a couple of notches, and turning that into a not so subtle anti-integration thing. That was entirely a thing of his own invention. There was no briefing that went into that. Two days later he was dead. Okay, he had done that. That was a very unfortunate thing.

I went home. I hadn't seen my wife, I hadn't paid my income taxes, I had a legal extension. The New York primary was two weeks later. It was going to be two weeks after the California. Marian and I were half-asleep, lying on the floor in her apartment with the television on, 3 o'clock in the morning Eastern Time, and sufficiently awake, or it awakened us. That's where we were. Anything else? I don't know—

**Riley:** What happens in the aftermath of something like that? What do you do for the few days after a tragedy—?

**Edelman:** Your mind just goes blank.

**Berkowitz:** There must be a lot of staff work to do.

**Edelman:** Yes. There was a scene that was somewhat similar to what you asked me about in relation to Robert Kennedy's announcement. There was a scene writing a speech for Ted Kennedy that I was involved in up in New York the night before the St. Patrick's Cathedral service. My ex-wife came and found my then fiancée at the Commodore Hotel, I don't know how she did that. They met and my fiancée was very kind, she is a very kind person, so that was all right, but that happened in the middle of that. I have just the vaguest—of course, I have memories of the train, in part because I have seen images of the train since then.

**Berkowitz:** Wasn't someone killed on that train ride?

**Edelman:** I think so, yes.

**Berkowitz:** On the track.

**Riley:** But that's interesting that the memories are blurred.

**Edelman:** Extremely blurred. Particularly between the time of his death and the time of being in New York. I have some memory of being in New York and being involved, and being in St. Patrick's and going to the train station. I have almost no memory of what happened in Washington from the time that we knew he was shot. Of course, he didn't die for some time after that, more than 24 hours after that.

**Riley:** Had you known Edward very well during this period of time?

**Edelman:** Fairly well, yes.

**Riley:** Professionally what happens after you leave the Senate?

**Edelman:** To me?

**Riley:** Yes. Is this where you go to New York?

**Edelman:** Number one, the Ford Foundation is very generous to us, so we come back six months later and we are said to have caused the Tax Reform Act of 1969 to be passed because it says in the *New York Times* that we were going on a honeymoon courtesy of the Ford Foundation and Congressman [John William] Wright Patman of Texas read that in the paper and he didn't like it.

**Berkowitz:** By we, you mean the Robert Kennedy staff?

**Edelman:** No, it said Marian and I were getting married and we were going on a honeymoon courtesy of the Ford Foundation.

**Riley:** More specific than just—

**Edelman:** Yes, with special exceptions for the MacArthur Foundation Genius Award, the law after that says that foundations may not give money to individuals.

**Riley:** You're to blame.

**Edelman:** We're to blame. So then they start up a memorial to him and I go to be the deputy director of that and I'm there for little over a year. I take an advance to write a book that I never wrote about being a Senate staffer, and we have a son and then Goldberg runs for Governor. Steve Smith has a piece of me either way so he asks me if I would go from the Robert Kennedy Memorial, where frankly I was a little bit bored, to run the issues in Arthur Goldberg's campaign. After that I'm unemployed.

Bob Wood has become the president of the University of Massachusetts, I knew him slightly. Our mutual friend was Elizabeth Drew.

**Germany:** Really, the journalist.

**Edelman:** Yes, so she was sort of the broker and we ended up moving to Boston and—

**Berkowitz:** How did she know Wood? Was she a freelance at the time? She wasn't working for the *New Yorker* yet.

**Edelman:** No, *Atlantic Monthly*. She'd met him the way she meets people in Washington.

**Berkowitz:** And they were friends.

**Edelman:** Yes. So she got us hooked up and I went up there. He had a Commission on the Future of the University that he'd appointed when he was inaugurated, and he didn't have anybody to staff it. So first I staffed it and then I became vice president and I was there four and a half years. Then the phone rang one day and it was my friend Dave Burke who had worked for Ted Kennedy when I worked for Bobby, and he was now working for Hugh Carey and asked me if I would be interested in coming to be the head of the Division for Youth.

**Berkowitz:** Let me just ask you about this UMass thing, I'm interested. That job, you were appointed by Robert Wood, was that an Edward Kennedy patronage job?

**Edelman:** No.

**Berkowitz:** In any way? Did they have any control over who was picked?

**Edelman:** No.

**Berkowitz:** Just a coincidence that Robert Wood is picked as the—

**Edelman:** Oh, that Robert Wood is picked, not me.

**Berkowitz:** I have to say it was interpreted that way by people in the system, that there was a certain amount of Kennedy political, a job for people from the Kennedy greater entourage.

**Edelman:** He's a distinguished political scientist.

**Berkowitz:** Like your job for example. That was just through the Robert Wood, not through the Senator—

**Edelman:** Right. Robert Wood, as far as I know, was appointed because he was a distinguished political scientist, who was also, by the way, the head of the Massachusetts Bay Transportation Authority [MBTA] and he'd been Deputy Secretary and Secretary of HUD. He's a very distinguished man.

**Berkowitz:** Professor at MIT.

**Edelman:** Professor at MIT, author of *Suburbia* and other major books. So as far as I know, he just gets picked on the merits. Has executive experience, first-rate scholar and so on. Did Teddy weigh in with the board of UMass? Who knows? Never occurred to me until this moment. In terms of me, it's what I said.

**Berkowitz:** Did you have any role in creation of UMass Boston?

**Edelman:** No, it existed. But I had a role in terms of the successful opening of the harbor campus.

**Berkowitz:** It was the biggest construction project on the East Coast at one time. It was a big thing.

**Edelman:** Yes, it was a big project. There was concern—although in retrospect it was stupid to worry about it for more than 20 seconds. There was concern that the MTA [Metropolitan Transit Authority] station was a mile from the campus. Well, hello, couldn't we run some buses from the station to the campus? Oh yes, we can do that. You couldn't imagine how many hours we spent, agonizing and tearing our hair out about how we were going to move these students. Oh, you couldn't have enough buses, they'll all come at the same time, you'd have to have the buses all lined up bumper to bumper and they wouldn't be able to move because there'd be so many buses. Well, guess what.

**Riley:** Actually you're talking to a group of people who would believe how much time you spent on that because we're actually living in an academic community.

**Edelman:** Well, you do know that.

**Riley:** Unlike actual government work where things can get accomplished.

**Berkowitz:** So the UMass job, what years was that exactly?

**Edelman:** I was at UMass from January of 1971 to August of 1975, and I was vice president for all but the first year of that.

**Berkowitz:** The New York state then is—

**Edelman:** August of 1975 to January of 1979.

**Berkowitz:** So then we get into the Carter years.

**Riley:** Kent, you had a couple of questions you wanted to raise about the New York years?

**Germany:** Generally, what your impressions are, but more specifically what role did ideas about rehabilitation play in the approach that you took in managing this division?

**Edelman:** Total. The first thing is, you asked about David Hackett and Robert Kennedy earlier. Why appoint me to be the head of youth corrections in New York State? It would be a very good question. Dave Burke was a Kennedy person and Hugh Carey had some of that same philosophy, smart guy, he can do it. My problem was that I was still not old enough to know the difference so I said I could do it too. I was 37 when I started the job, getting on but still on the young side.

I went in there with the idea that this was a system that was not in desperate disrepair. If you look at our juvenile justice system in Washington, D.C., now, you know it's been in a disastrous state forever, for 20-plus years. This was a system that had been separated from the larger Department of Social Services as a kind of a demonstration agency just a few years earlier. It was a young agency, it was fairly professionally staffed, a lot of MSWs [Master of Social Work] around.

On the other hand, it had way too many reform schools, way too many rural congregate institutions. It was basically a cookie cutter. Same response regardless of the offense. In New York City a kid had to do bad things a number of times before there was any serious response. They would put him on probation, tell him to go home, and then finally when he did it the fourth time they'd throw the book at him, except the book wasn't a big book at the time.

Upstate you could break into a candy machine and they would send you away. So it was really like two different systems in terms of who was sent away. Then the cookie cutter kicked in. Sending you away meant that you basically went somewhere for about seven months and you got sent home. It didn't matter whether you had killed somebody or broken into a candy machine. Way too many kids were out of their communities. If you were going to do something to the candy machine kid, which you shouldn't have at all, the kid should have been in foster care or a group home or something like that. They were sending New York City kids to the other end of the state. And while the kid was at the reform school nothing happened. Terrible school program. They had a sort of amateurish group-counseling thing that was the total modality for what they did. In other words, you name it, it was all messed up.

What I did was essentially try to create a system with some differentiation in it that responded to kids as individuals. We closed a significant number of the congregate, large cottage-type facilities. We actually increased the number of beds that had locks on the doors and got legislation passed to somewhat increase the time for a juvenile who had committed a murder or a rape or arson. But opened up a whole lot more group homes. They had some. A whole lot more use of family foster care for kids at the other end of the spectrum.

If a judge sent us a kid, we had to take the kid. In our judgment, if the kid really should have been on probation, what we wanted to do was program for that kid in the community to in effect simulate probation. Couldn't have the kid stay home in his or her own house, but we could do things that were much more effective than what had been going on. There was nothing for kids who had a learning disability. We established a program for that. We established a much more professional diagnosis of the problems, a much more localized placement of kids as close to home as possible, and much more attention to the aftercare, to the reentry into the community than had ever been the case. We had aftercare workers but their view was, "Call me up every week and tell me you're okay." Not that they should really have to work to get kids back into



school or help them get into the job market. So we did just a complete remake, from top to bottom.

The problem was, the atmosphere in which I was doing this reform, which definitely included getting tougher on the deeper end kids, but for the vast, vast majority, it was get them the appropriate thing they need and in many cases not be out of the community. The politics was that there was beginning to be this backlash against crime. On my watch there was a horrible crime where, there's actually a book written about it by Fox Butterfield of the *New York Times* about a guy named Willie Bosket, who was a kid in the system at the time. I learned about him within the first week I was there because he was 12 years old and he was already famous in the system. He was a smart, totally psychopathic kid.

The story I heard within a week of my taking the job was that he was in Brookwood, which was a locked facility, and he had come and typed something that they wanted him to type because they were giving him stuff to do in the office. They knew he was this really bright kid. When he was done with it he took the typewriter and threw it through a window, at about the age of 10. He was in a community facility but by now it's 1978 and he was 15, and he actually had let us know that he was kind of coming apart. We were arranging a foster placement for him upstate. He killed two people on the subway. Not at the same time either, two separate incidents. It was terrible.

Hugh Carey is running for reelection in 1978. I've been there almost three years by then. His own Lieutenant Governor is challenging him in a primary. He hears about Bosket being sentenced under the new tougher law that he, Carey, had signed, that said kids who committed murder could be kept until they were 21 instead of 18, so that Willie was going to do six years for these murders. He read it in the *Daily News* while he was on his way upstate. He landed in Rochester and said, "I'm going to see to it that kids like that never come out." So they passed the first tough "charge kids as adults," make the prosecutor charge kids as adults, starting at age 14 for a whole series of crimes. I fought it, but it was enacted over my and his own counsel's objections. The Governor's own counsel's objections.

So we did this tremendous amount of reform in a rehabilitative direction. That's all significantly changed but some of it is still there.

**Berkowitz:** Could we talk about the transition to the Carter years?

**Edelman:** It'll be nice to listen to that. Nobody's ever listened to that long a speech that I've given them.

**Germany:** I think it fits into transitioning—

**Edelman:** Yes, okay, I love it.

**Berkowitz:** You must have known people who were working on transition in the Carter years or in the Carter government.

**Edelman:** Yes.

**Berkowitz:** What was your feeling about that? Did you want to go back to Washington and get a job?

**Edelman:** I wasn't done in New York when Carter got elected. Carter had some antipathy, at least as far as the Justice Department was concerned, to the Robert Kennedy people. Griffin Bell somehow didn't like Robert Kennedy. So to be a lawyer in Griffin Bell's Justice Department was unlikely. In any case, I was very close to Fritz [Walter] Mondale. I had met him the day he was sworn into the Senate, because I'm from Minnesota, as we said. He used to refer to me as the third Senator from Minnesota. He would introduce me that way to people when I was a staffer to Bobby. When he was thinking about running for President in '74 and I was living in Boston, I would drive him around New Hampshire. We were really very close.

Then he got to be Vice President so I went to see him and I said, "I don't want anything, because I'm not done in New York." Well, in '78, Marian said she had to get out of there. The thing had turned on me because of Willie Bosket—

**Riley:** Out of New York?

**Edelman:** Yes. Marian said she had to integrate her life. She had been commuting down to Washington.

**Berkowitz:** What was her job?

**Edelman:** She was the head of the Children's Defense Fund all the way through this.

**Berkowitz:** When did that start?

**Edelman:** She founded a predecessor to it in 1968 and changed the name in 1973.

**Berkowitz:** And was always in Washington?

**Edelman:** She had an office in Cambridge when we lived in Boston, but she always had the main office in Washington. So I had promised her that we would go back to Washington, and Carter's people actually offered me a job as an Assistant Director of AID [Agency for International Development] when Jack Gilligan was the head of AID. It was sort of an inter-agency liaison job, but it was called Assistant Administrator, and I turned it down. Who knows, but I did turn it down. So then I came back to Washington and I went into private law practice instead.

**Riley:** Had you taken the bar years before?

**Edelman:** Yes, I took the bar in 1961, but I had to take it again in 1979. That was interesting, to say the least.

**Riley:** Why did you have to take it again?

**Edelman:** Because at that time in D.C. they wouldn't let you waive in. They have fluctuated between whether they make it easier or harder. They made it easier again after Fritz Mondale left office as Vice President because he needed to waive in.

**Riley:** I see.

**Edelman:** But they were going through the tough period—

**Edelman:** Especially if you're from Minnesota, right?

**Edelman:** I guess. The rule was you had to have practiced law for five out of the previous eight years. I argued that I was practicing law when I was head of the Youth Division and at UMass because in both cases, blah, blah, blah, I was handling legal issues and they said, "Get out of here." So they made me take the bar again in 1979.

**Berkowitz:** That must have been incredible, to sit down with all the books again. And you passed?

**Edelman:** Yes.

**Riley:** Did your wife support you through all this?

**Edelman:** My wife always supports me.

**Riley:** So you're in Washington taking the bar—

**Berkowitz:** In a private law firm, what firm were you with?

**Edelman:** It's called Foley and Lardner, it's a Milwaukee firm. I was in Washington.

**Berkowitz:** Were you doing Washington work there?

**Edelman:** Yes, I was basically building a legislative practice. Then ten months into it Teddy decided to run for President. I had reestablished my relationships up there, and they called and they said, "How do we organize the issues side of a campaign?" I said, "What you do is you have your key people, your Carey Parker person goes on a plane and you have somebody back in the headquarters who services the people on the plane." Then they called back and said, "We'd like you to be the person in the headquarters who services the people on the plane." My wife said, "You're out of your mind. You just started a law practice, you have little kids," got really mad. I said, "Well, you know, umff." I think I was just about that articulate.

**Riley:** But you won.

**Edelman:** I went, that's different from I won.

**Berkowitz:** Do you have qualms about it? Do you have qualms about helping the Democrats and Jimmy Carter?

**Edelman:** You know I should have, and I did have later and I do have now, but I didn't then. I was really convinced that Carter was doing a terrible job. I was really convinced that Teddy could beat him. We were talking about misery index before, I just really bought into the whole thing that he was so bad, it was important to take him on. Of course I was, and am, a complete Teddy loyalist. So I just calculated it wrong. Apart from the fact that he was a terrible presidential candidate, that comes later.

**Riley:** You came on board when?

**Edelman:** Right at the beginning, before the beginning.

**Riley:** Before Roger Mudd—

**Edelman:** Before Roger Mudd. He had been filmed, I just didn't know about it.

**Riley:** Let the record reflect there's a sly grin coming from the respondent as he says that.

**Berkowitz:** There's going to be a whole Senator Kennedy project and he can speak for himself, but do you think he wanted to run?

**Edelman:** I think he was ambivalent. I think he felt a family responsibility to run, and I think he was being told by a lot of people that Carter is an awful President and he needed to be taken on for the good of the country. So I think it was a combination. But I think he immediately found, number one, the Roger Mudd thing shows that he didn't know why he was running, couldn't answer the question. Then he was immediately an ambivalent candidate. Personally, at the early part I was with him almost every day when he wasn't out on the road, and we were talking all the time. It was a really interesting time.

Then he would go out on the road and I remember I got a phone call from Pittsburgh, somebody I knew up there who said, "You know, your guy just had a fundraiser here last night and he didn't work the room. What's that about? He gave a speech but he never went around and shook everybody's hand. What's that about?" I said, "I don't know." I would get reports that he would have five appearances in a day and he would give one fantastic speech and four nothings. So what is that about? It's going to require some introspection on his part to tell you.

I think it's about two things, my dime store psychiatry.

**Riley:** You realize you may be called back at some point to talk about this. Not in this project but in the other one.

**Edelman:** I'm delighted to talk about it. I'm sad about this, I'm willing to talk about it, but I'm very sad about it. I think he's one of the great United States Senators in history. I think he's just

gotten better and better. I think now he's saying what I wish so many other people would say about what's going on in this country. He's absolutely got perfect pitch in relation to what's happening now. One thing is that he felt not up to the challenge of his two brothers, he felt like they were up there in heaven judging him and looking down and saying, "You know what, you're the dumb brother." That's one theory that I have. Another piece is that he was so much a Senator by then. I had this conversation with him. I said, "Senator, one thing that's happening is the country is aging and one thing you might want to think about talking about in this campaign is what we as a country are going to do to respond to this change in the demographics of the country. Not just what we're going to do about Social Security but in a much, much broader way. The role of older people and how we respond to them, and the contribution that they can make."

He said to me, "You know I was the major sponsor of the Meals on Wheels program in the Senate." I thought to myself—we're just not communicating here. So that was a problem. I also wonder whether he was afraid of being shot.

**Riley:** Who could blame him?

**Edelman:** Who could blame him? Teddy is not Bobby, they're very different. Teddy has always been much more of a legislator. He's been much more of a person who believes programs can solve problems. I think he's much more of a Humphrey-esque figure than he is a Bobby figure or a Jack figure. That's not bad, that's just a comment.

There came a day, after the hostages were taken in Iran, and of course, the minute the hostages were taken, the complexion of the campaign changed in any case, regardless of these comments I make about his performance. He's in Los Angeles. It's probably late November 1979 or maybe early December and he meets with some Mexican-Americans who are separated from their families. They're here working and they can't get the rest of their family to come to this country because of immigration laws. Just these tear-jerking, very moving stories.

He goes to San Francisco that night and he's on KRON-TV and they ask him what he thinks about the Shah of Iran being allowed to come to the United States for medical treatment. He says, "I think it's an outrage that that man who killed so many people in his own country was—" Now, the hostages are already taken, right? "That that man who killed so many people in his own country is allowed to come to this country for medical treatment when you have all of these Mexican-Americans who can't get reunited with their families." Very Bobby-esque kind of comment. Totally from the heart, totally unfiltered. His money—the next day, it was like you turned off a faucet, it just literally stopped coming in. It happened fairly late at night East Coast time, so you woke up in the morning and people were saying, "Teddy said something a little bit weird on television that people are talking about." By the end of the day it was all over the country that he had said this.

Morris Dees, who is a prolific fundraiser, was in charge of his fundraising. He was there in Washington and it was just like somebody turned off a faucet. So on top of everything else, the money stopped. So he's a lousy candidate, you have the hostages taken, you have the Rose Garden campaign by Carter and then the money stops. Then he loses Iowa, quite predictably, and

loses, loses, loses. I make arrangements to go back to the law firm in March, I'm finished with this. Then he wins the New York primary.

The minute it's clear that he can't possibly get nominated, he goes and gives a speech at Georgetown, which is one of the great speeches that any politician, anybody running for office ever gave. I called it the "kitchen sink speech." Not because it was like a State of the Union that lists everything. It's just that he put it all out there, everything that he really thought, that he'd been sort of careful about for the previous three months. It was sensational, got wonderful press and so on. So a lot of people who had reservations about Carter, who knew by this time that Carter was going to get renominated anyway, started to vote for him.

So he wins the New York primary. I can't go back to the law firm, I'm stuck, and I'm stuck all the way through the rest of the primaries. Then, in my judgment—and you can ask him about this—he should have given it up. By this time he's angry enough, and frankly I think he was manipulated by some people, he's angry enough at the way this has all happened that he carries the fight right to the convention and makes these platform fights that I was all in the middle of. He loses them all of course, but creates, exacerbates, and continues these divisions within the party.

I wrote an op-ed in the *Washington Post* in July of 1980, in which I said all the Kennedy people really need to get behind Carter now. This is over, and we need to get together behind Carter to win this election. Some of the Kennedy people were furious at me for writing that.

**Riley:** That's all fascinating stuff. You said he had been very careful and cautious on the campaign trail and then he comes to what you called the "kitchen sink" speech and he lets it all—was he self-censoring or were there so-called handlers around him who—

**Edelman:** I think he was self-censoring mostly. It may be he was getting advice to take care. He had professional people around him. Bob Shrum, Shrummy was around, that was his first big break into the big time. But Paul Kirk is a very savvy politician, so there were people around who perhaps were advising him to be more cautious. Despite what I've said, he's basically a very good politician. My guess would be that he's more censoring himself than listening to advice.

**Riley:** In terms of the platform fights, was there anything of significance that you—in general, did you feel that you had a favorable influence on the platform or was that a Carter platform that Carter was running on. Was there a Kennedy imprimatur?

**Edelman:** We had a favorable influence on the platform because they wanted us back in the fold and they didn't necessarily disagree with us. I participated in this scene that for me, I would personally call it historic, very odd, certainly very surrealistic. I guess I had two experiences like this in my life and the other one is going to [Yitzhak] Rabin's funeral, which I can tell you about, where I had a 45-minute debate with Newt Gingrich, this far apart on the bus from Lod Airport in Tel Aviv to Jerusalem. It was like, is this happening to me? Am I dreaming this? Totally bizarre.

The experience in 1980 was the platform drafting committee, which met in the basement of the Mayflower Hotel. It was chaired by Dick Riley, then the Governor of South Carolina, who became a great friend of mine and Marian's as well, a wonderful, wonderful man. But you had in that room, sitting around the table, Mario Cuomo, Pat Moynihan, and Patsy Mink, and others. Stuart Eizenstat and I conducted basically this mano-a-mano debate for a period of probably five days, with the rest of these distinguished people mostly as witnesses, plank by plank through the entire platform. I was getting coaching as far as the politics was concerned, but the substance was all in my head at the time. I had been doing it for eight months. I was completely at the level—it's not the level where you can run the country—but it's the level of knowing it cold for campaign purposes.

I debated Stuart on *McNeil-Lehrer* and I gave Kennedy's presentation to the open hearings of the platform committee, but that experience at the Mayflower Hotel was absolutely amazing because Cuomo or Moynihan or whoever it was would chime in but they didn't know nearly as much about the intricacies of it in that precise campaign frame as Stuart and I did. We would go out whenever there was a break for lunch and the press would be standing out there and Stuart would say, "I think we're making progress, we gave them this that they asked for." They had us, of course, permanently outvoted. They had eight and we had five or whatever it was. That was the way it had broken. So they could beat us on the whole thing if they wanted. They could just ram through what they wanted and they had decided not to do that.

So Stuart would say, "I think we're making progress. We put in some language about jobs here and that's what we did. We put in some language about the environment here," whatever the issue was. It was my script to say, "It pains me to say this, but we're just not making enough progress at all here and they're really going to have to do a whole lot more in order for this to be satisfactory." We went from that to the convention and we picked out three or four, I don't remember exactly what items, to try to have floor fights on about. One had to do with work and jobs. But there were others.

**Berkowitz:** So this convention also is an interesting one because Carter performed very badly, at one point stopped his speech, some aide whispered something in his ear and he had that terrible misstatement about Hubert Humphrey, calling him Hornblower. The thing that people remember about that convention is the very end where Senator Kennedy—

**Edelman:** Gives the speech—

**Berkowitz:** Yes, gave that wonderful speech, but also, at the very end, when they're having their TV pictures of unity that the President had to chase the Senator, who seemed very reluctant to be posed in that picture, around the platform. What was up with that?

**Edelman:** I already told you, it was embedded in what I told you. Teddy really had gotten very angry and had decided that Carter was a failed President. That was why he was willing to carry on that fight at the convention, which, objectively, shouldn't have happened. It's the same thing.

**Berkowitz:** Just refused to—

**Edelman:** He had gotten into a form of kidding himself, deluding himself not so much about the possibility that he was going to get nominated—I don't know that he believed that. One of the things they tried to do was to get a vote on a change in the rules that would unbind the delegates, I think before the first ballot. Therefore there was some idea that there was a groundswell just waiting there if you could unchain the people from their obligation to vote. It's sad.

**Riley:** How did Fritz Mondale treat you during this period?

**Edelman:** It was very sad I must say, because I'd been very close to Fritz, and indeed, when I went into law practice, I was Counsel to the Vice President's Task Force on Youth Employment. He was the head of that. So my first client in private practice was in fact this government entity. It was a loss leader. They paid me something but it was on a per hour basis less than the firm was paying me. So I was working very closely with him on that. We did that for a period of six or eight months from early 1979 until whatever that was, early November, late October. I had to go to him and say, "Look, I've got to quit doing this because Teddy's going to run, and I'm going to help him." Our relationship was never the same after that. It was family, really. It was as if I had chosen between two political families and it was totally legitimate for him never to forgive me for that. It's very sad.

**Berkowitz:** That was quite common. Marian Wright Edelman was on one of Carter's commissions and she never went to the meetings after Kennedy announced. There was a separation—

**Edelman:** I think she never went to the meetings more because she was busy.

**Berkowitz:** That was the impression I had.

**Edelman:** No, she never said anything to me that indicated she wasn't going for that reason. Now, that was the famous commission, wasn't it, where they—it was a sort of urban—

**Berkowitz:** Yes, it was called the President's Commission for a National Agenda for the Eighties and had a distinguished panel of Americans including Marian Wright Edelman. It was always given to the staff to understand that she didn't go because she was a Kennedy supporter.

**Riley:** We can ask her.

**Edelman:** I don't think so anyway.

**Riley:** Did you do anything for Carter before in the '80 election?

**Edelman:** I wrote that op-ed and certainly made it clear that I was available to help. And indeed I'd gotten to be good friends with Stuart Eizenstat and David Rubinstein, and Bert Carp was already my friend. I most certainly would have taken a job in a second Carter term. I think there would have been something for me to do.

**Riley:** Did you help Mondale in '84?



**Edelman:** Yes, I was co-chair of a task force on employment issues.

**Riley:** So there was a rapprochement—

**Edelman:** Yes, to that extent. We lived in the same neighborhood and I would see him at the grocery store, and we certainly spoke to each other. When he was ambassador in Japan I went over there with a group and we went and saw him. It wasn't like he stopped speaking to me. It just wasn't the same intimacy that it had been before.

**Germany:** I had a question about the Democratic Party. You were active in the party with one Kennedy in '68 and then again 12 years later with another Kennedy. Did you appeal to the same constituencies and how did the party change from '68 into the party of 1980. There was a pretty dramatic transformation obviously in '72.

**Edelman:** I think that's a great question. I think the country had already gotten a lot more conservative. It's pretty complicated because we went through Watergate, impeachment of [Richard] Nixon, Watergate babies getting elected in 1974, the feeling as a consequence of that that there was some liberal resurgence, which I think was misleading. Carter himself was of course much more centrist as a Democratic President, which is exactly why those of us who were more on the left in the party were inclined to be disappointed in his Presidency other than what we regarded as things that were just incompetent.

So I think the electorate in 1980, even more than we understood, had gotten more conservative. But nobody thought Ronald Reagan was going to be elected. So even more than we understood, it had gotten much more conservative. You could feel it to some extent. One of the things the Democrats never understood sufficiently was the implications of the changes in the economy, starting especially in 1973. It was a watershed year because it was the first time there was withdrawal of supplies of oil from this country. We'd been de-industrializing for some time already, losing good jobs. But if you look at all the indicators, for example, the situation changed remarkably in 1973. For example, black men had been going up steadily in real income terms from 1959 when we started to measure that to '73 and then it just plummeted.

**Berkowitz:** Yes, a lot of things go down.

**Edelman:** A lot of things go down at that point, and I think that had an enormous political impact in terms of creating insecurity. But this insecurity among working-class people, among middle-class people where it all of a sudden went from a hopeful time to a situation where you have the stagflation, too much unemployment, and inflation at the same time. I think it really had an effect in conservatizing people and it was happening a little under the surface. It's real, you could see that it was happening, but in terms of understanding that it was having a political impact, I think people on the Democratic side weren't sufficiently sensitive to that.

**Berkowitz:** Sure, particularly since the first oil shock is on the Republican watch, and actually benefited the Democrats. That's why they won so big in 1974.

**Edelman:** And Watergate.

**Berkowitz:** Yes, all those bad things happened and they were the beneficiaries.

**Edelman:** But then the second Arab oil shock happened under Carter, etc.

**Germany:** Do you think that the party—there are a lot of historians and political scientists who argue the party somewhat abandoned its white, working-class base and in some ways became too liberal.

**Edelman:** Yes, but you see that relates to what I'm talking about because the accusation is that the party was for affirmative action, it was for busing, it was a successful attempt to exploit racial differences. I suppose abortion politics is in the mix as well.

**Berkowitz:** Also 1973.

**Edelman:** And the activation of the Christian fundamentalists into politics. They had always been much less involved. They're coming out of the woodwork and they're starting to vote. That's a big factor by 1980. So there are a number of different things. But on the question of race, the answer to that should have been to say, "Hold on, they're changing the subject. The subject is what's happening here to basically everybody who is below the median income. It's happening to them whether they're white or black, and we have to address this as a country, and I'm talking to you. Don't let them tell you about what's happening to those people over there and blaming it on us and you blame them and you vote Republican. It's about what's happening to all of us, and we have a remedy for that." Never did that.

**Berkowitz:** What was the remedy in your opinion, the Humphrey-Hawkins bill?

**Edelman:** No, the remedy was essentially a combination of a stronger safety net, looking at what's happening about unemployment, about minimum wage, or an income tax cut for the middle class. There was a small one during that period of time but it was a very modest, minor little thing. I think identifying with the struggles that people were having—we could have figured out some other policy proposals. It's not that simple, but it's not Humphrey-Hawkins. That was simplistic.

**Riley:** Let's forge ahead. Michael Dukakis, were you involved in that campaign?

**Edelman:** Oh, yes.

**Riley:** Tell us what your role was there.

**Edelman:** I was the chief coordinator of speechwriting in the Dukakis campaign after Labor Day.

**Riley:** How did you come by that job?

**Edelman:** [laughing] It's a good story.

**Berkowitz:** You had worked in Massachusetts.

**Edelman:** That's a good story. My friend Steve Engelberg called me up one day. He was an old Mondale person and he's also very close to John Sasso and to Francis O'Brien, who's a kind of Democratic Party operative. Francis was the traveling press guy. Steve said, "I'm going out on the plane and my job is to spend time with the reporters in the back of the plane and keep them happy. Want to come?" "Hey," I said, "that sounds good."

I started out and we take one trip, this is right around Labor Day. That was a lot of fun. My teaching schedule was real easy. I only had classes on Monday or something.

**Berkowitz:** By now you're at Georgetown.

**Edelman:** Yes, I went to Georgetown in 1982.

**Riley:** I'm going to interrupt and ask one other preliminary question. Dukakis, I take it, had not been your preference among the Democrats then that year.

**Edelman:** Who was my preference? Who else—

**Riley:** Gary Hart maybe, although I guess he was gone early.

**Edelman:** His monkey business.

**Riley:** I don't know, was it? It may have been, I just—

**Edelman:** I think it was Dukakis. You have to know about Dukakis that I voted against him in 1974, because I was living up there. His first term he was much more conservative, and then he lost the governorship to Edward King, who beat him in a three-way primary with Barbara Ackerman who took votes from the left. She was the mayor of Cambridge. When he came back in '82 he was much more liberal and he was particularly good on welfare. It was a sensible welfare reform, help people get jobs and that sort of thing.

I had a friend, still have, named Tom Glynn who was the deputy commissioner of welfare in the state. I did a fair amount of consulting for him, going to meetings, being on task forces. He was an old welfare organizer back from the George Wiley days and the National Welfare Rights Organization. My joke about him is that he started wearing socks just in time to become a state official. Because of Tom, I think, I was for Dukakis from the beginning. I had a real antipathy to Dukakis in the '70s, but in my view he had really changed.

**Riley:** I can't remember who else was in that race because you're right, Hart imploded in '84, didn't he?

**Berkowitz:** I don't even remember, that's a hole in my—I'm sure there were others.

**Riley:** Was [Albert] Gore running? Is that the year Gore—

**Edelman:** Yes, Gore was running in '88 and Clinton had looked at it and decided not to because I was actually very tight with Clinton at that point in time.

**Riley:** That's my next question. Let's finish with Dukakis and then I want to come back to the main course.

**Edelman:** Anyway, it's just such a funny story. I went, entirely enthusiastic about the candidate and with some relationship. The next week, after I went back to teach my class, I'm going out on Tuesday, I'm meeting them in New York. I get up to New York and Steve and Francis meet me, long faces. "Peter, they told us we have to pay for every seat on the plane and this isn't just a free ride. You're costing us money. We can't really afford to have both you and Steve on the plane. We'd love to have you but we just can't do it." So I'm standing in New York, and I go to a pay phone—that's before the era of cell phones—and I call Tom Glynn. He's the deputy campaign manager. I said, "You've got a choice. I'm not mad, it's fine, I'll go back home and you can call me and I'll do anything for you, or I'll come to Boston and do something in the campaign. You tell me." He said, "Call me back in half an hour."

So I called him back in half an hour and he said, "Actually, since the primaries are over, we've got these people doing speeches and there's really nobody coordinating the whole speechwriting operation. I know you know how to do that, so come do it." So I did.

**Riley:** Anything memorable in particular?

**Edelman:** Oh, yes. Dukakis would not say that he was a *Democrat*, let alone that he was a liberal. So we were just pushing and pushing. "Just go out there and say that you're a Democrat in the tradition of Franklin Roosevelt and Harry Truman and John Kennedy." This goes on week after week, and finally he does get to the point where he's saying, "I'm on your side" and that's beginning to cut in the polls, a little bit of populism. Finally convince him that he's going to say he's a Democrat, etc. I walk into Susan Estrich's office and she is facing the window. Now Susan Estrich is one of the toughest eggs that was ever put on this earth. She was the campaign manager because John Sasso had leaked some information—

**Riley:** [Joseph] Biden was in that race.

**Edelman:** Yes, Biden was in that. He had leaked the information about Biden's plagiarism and Dukakis had fired him. He was back in the campaign by the fall but he wasn't the campaign manager.

I walk in there and she turns around and she's crying. "Susan, what's wrong?" "He said he was a liberal." So that's my Dukakis story.

**Riley:** This gives us a very rich sense of preparation and place, so now let me come to the question, how did you first get to know Bill Clinton? Where does he cross your path?

**Edelman:** Can we start with Hillary?

**Riley:** By all means, whatever is most—

**Edelman:** That's where the story starts. In 1969 the League of Women Voters asked me to coordinate a conference. I was working for the RFK Memorial and I was not fully engaged. In fact I think it was my idea and somebody asked me what to do. Younger leaders would come together with older leaders. You know at the time, "Never trust anyone over 30." So there was a steering committee and we identified various elected and non-elected people over 30 who we thought would be admirable for younger people to meet, and we identified some younger people.

Hillary graduates from Wellesley and she makes that speech where she upbraids Senator [Edward] Brooke for not coming out against the war or whatever the exact thing was. It gets into *Time* and *Newsweek* and so on. And I read that. So I called her up and I said, "How do you do, I'm—and would you come to my conference?" She says "Sure." So that's where it started. Marian came to that conference. We had one little baby, just born. Josh. He came, too.

**Riley:** Where was the conference?

**Edelman:** It was somewhere in Colorado. So Marian meets Hillary. Very impressed with each other. Marian then gets appointed to be on the Carnegie Council on Children, which was a big thing that the Carnegie Foundation invested in. Ken Keniston, the psychologist, chaired that, and Hillary comes to work summers and part time for the commission and they get to know each other better. She goes through law school, comes to work for Marian as her first full-time job out of law school, writes an article about children's rights that became a tiny bit controversial during the '92 campaign, then gets involved with the Nixon impeachment stuff.

Then we hear that she's gone off to Arkansas to marry this guy. Who the hell is he? We say to each other, "Well, that's the end of Hillary." It becomes apparent that it's not. First he's elected Attorney General a year or so later. Then, in rapid fire, only two years later, in '78, he's elected Governor. I think he served only one term as Attorney General.

**Riley:** That's correct.

**Edelman:** I think he ran for Congress in '74.

**Berkowitz:** Yes.

**Riley:** And lost.

**Edelman:** And lost. So Marian meets him. We're seeing Hillary right along. By this time she's on Marian's board, and after we move back to Washington in '79 she comes and stays with us and we talk on the phone quite a lot. Remember we're living up in Albany, and Marian is going down to Washington commuting. So I'm not seeing Hillary very much until we move back to

Washington. And I didn't meet him until he was elected Governor, so I didn't meet him until probably '79.

All the way through the '80s we saw each other a lot, saw her more than him, but saw each other a lot. I did some work for the Southern Education Foundation as a consultant on trying to get more African-American young people in the South to go into teaching. We had some meetings in Little Rock. I stayed at the mansion. I would go see him. There was a point at which the deanship of the law school was open, and I was trying to decide whether to—

**Berkowitz:** Which law school?

**Edelman:** Georgetown, where I was on the faculty. In any case, I took a long walk with him, it was like he didn't have anything to do, all over downtown Little Rock, talking about whether I should be a candidate for dean, whether it was him or somebody who was going to get elected President and I shouldn't be tied down. So we were back and forth and saw each other a lot. Introduced them both to people in Washington quite a lot.

**Riley:** Did he strike you as somebody who was going places?

**Edelman:** Oh, sure. We would hear him at somebody's house, at our house when he met people or at Jim Hamilton's house I remember once, and he would stand up against a mantel and talk. And we would walk away asking ourselves, "Is he presidential yet?" Our answer was generally, "Not quite yet but it's coming."

Then there was the horrible speech at the convention in '88, and I wrote him off. I must say, I wrote him off. Before that, I had arranged two days at a hotel across the street from Georgetown Law School, the Washington Court Hotel, for him to meet experts in a whole variety of areas. John Steinbruner from Brookings [Institution] I remember, Bill Schneider, now on CNN, a whole bunch of people from all different areas to come and brief him. So I'd been very active.

We were in Ireland in 1987 when everybody else had gone down to Little Rock assuming he was going to announce. He called us in Ireland. He found us and told us he had decided not to run.

**Riley:** Did he tell you why?

**Edelman:** He once told me that Al Gore was spreading rumors that he was having extramarital affairs.

**Riley:** But he didn't say that in this conversation?

**Edelman:** I don't think so.

**Berkowitz:** That's very interesting.

**Edelman:** Yes, I thought you'd find it interesting.

**Riley:** But Al Gore wasn't the only one, that's why I'm not—

**Berkowitz:** But he was the only one who actually became the Vice President.

**Riley:** That's true.

**Edelman:** But Al Gore was running for President himself that year. So no, I think what he said was it was too late to get something mounted fast enough, something like that.

**Riley:** Were you concerned about his politics? He didn't seem quite to fit the—he wasn't a Kennedy in Arkansas, was he?

**Edelman:** Arkansas is Arkansas.

**Riley:** That's important to know.

**Edelman:** We had two views. One was that he was more liberal than his performance in Arkansas and that he would be different on the national stage, but we knew that even so he was more conservative than we are. But people who are as liberal as we are don't get elected President, so that's not a very interesting—

**Berkowitz:** That's sort of like people's impression of Lyndon Johnson when he came to Washington. He's from Texas, he has to say these things, but with his Washington friends he was quite liberal. So I guess Clinton might have had perhaps that same—

**Edelman:** He certainly sounded different in the drawing rooms of Cleveland Park than what his record showed in Arkansas. And we knew a lot about his record in Arkansas and his record as a leading Governor in working on national policy. We knew what his role was in the Family Support Act of 1988. We knew what his role was in the childcare legislation in 1990. We knew positions that he had taken on Medicaid expansion. A series of things had happened where he had a hand in the position of the Governors on national policy and had played a conservatizing role and moved the Governors' position a little to the right, not massively, but to the right. So we knew a lot about him.

We weren't in the category of people who said, "Oh, well, the way he sounds in Cleveland Park is the way he really is." Much more complicated than that in our case. Having said that, we liked him very much. We thought he was a person of great integrity. We thought that he was young and would rekindle the participation of young people in the political process, that it would be a new time of idealism in the country, and that his centrism fit the times, that there wasn't much room for anything successful very much to the left of that anyway. So all things considered we thought it was a very good idea.

**Berkowitz:** Was it always clear that he was the one who was going to be the President and not Hillary?

**Edelman:** Yes.

**Berkowitz:** Did Hillary have conversations with you about her frustration of trying to start a career and be a housewife?

**Edelman:** A little bit but not much. She was in the law firm, she was very active in education policy in the state, both substantive policy and school desegregation issues. She was always fully occupied. She was substantively an advisor and connected to Marian and the work with the Children's Defense Fund. I'm sure there were frustrations on various levels including personal levels that we didn't know anything about. She always came across to me as positive and resilient and upbeat.

**Berkowitz:** With you, she didn't talk about her electoral ambitions?

**Edelman:** No.

**Riley:** Do you know if she had any electoral ambitions at that point?

**Edelman:** I don't.

**Riley:** Did you get the impression that she may have been more liberal than her husband?

**Edelman:** We always thought so. On the other hand, I put her on the board of something called the New World Foundation that I was on the board of in about 1983 or '84. We served on that board together for four or five years. That was a very liberal foundation and compared to the rest of us she was the conservative voice on the board and very useful. Some of it was just being skeptical. Some of it was asking the hard questions that somebody ought to ask, just being smart. But I also knew from that, whether it was the consequence of having gone down to Arkansas and just having some of Arkansas rub off on her or whatever it was, I knew that she also was more conservative than I.

In terms of the Children's Defense Fund and Marian and the specific policy things on which the Children's Defense Fund was working very hard, and where he was in some of these instances working at cross purposes, Hillary was playing a middle person role and carrying messages back and forth and pushing him. We had the distinct impression that of the two that she was the more liberal.

**Berkowitz:** Did you have occasions to do social things with them as couples?

**Edelman:** Yes, some.

**Berkowitz:** Was he charming?

**Edelman:** Oh, sure.

**Berkowitz:** Could you characterize that charm in forms of Washington charm, other charms you've seen?



**Edelman:** There's nothing I've seen that you haven't seen.

**Berkowitz:** What you see is what you get?

**Riley:** Maybe I might rephrase or come at this from a slightly different angle. Give us a comparative sketch of Bill Clinton and Bobby Kennedy. What are the points of contrast and the points of similarity between those two people you've known very well and who have had such a—

**Edelman:** Robert Kennedy was a man of few words a great deal of the time. Bill Clinton is never a man of few words.

**Riley:** Okay.

**Edelman:** Robert Kennedy was one tough person.

**Riley:** Disciplined?

**Edelman:** Certainly disciplined, let's talk about discipline. But before we get to discipline, I mean tough minded, just very steely. The story of the missile crisis would be prototypical. That is not one of Bill Clinton's strengths. He arrives at a decision finally, but he can sit around and let people talk endlessly and sometimes not come to a conclusion, have to leave it to go further. Robert Kennedy would never stand for that. He was a person who not only valued his own time and conciseness, but he demanded it from everybody. Absolutely couldn't stand people who were gassy and talk, talk. Wouldn't have stood for having anybody advising him who was that way.

Disciplined. Hillary is the disciplined one. I don't know how they are now, but I think it's probably still true that politically they're a team. He's a genius, but she's the one who would say, "Bill, you've got to decide. Cut the shit, let's move ahead here. Let's get on one way or the other." She's the one who brings that to the relationship. Robert Kennedy didn't need Ethel [Kennedy] to do that. She might have done it, but he didn't need her to do that.

**Riley:** Any other comparisons? Alike in any way?

**Edelman:** Alike in a certain way that doesn't work out as well as it should for Clinton, which is essentially non-ideological, non-labelable, not traditionally liberal. I say in my book that in some ways Robert Kennedy was the first New Democrat, but the way he did it was very progressive. It was about empowering people and involving public-private partnerships, a long list of things. But the bottom line on it was a line that was unmistakably about justice of all kinds. Clinton started by moving away from orthodoxy, but it became much more of a political calculation and much less coherent and much less clear that it had a bottom line that really had justice in mind in all its meanings at all times.

Robert Kennedy had a wicked self-deprecating sense of humor. Clinton is more of a storyteller. Teddy is a storyteller. Bobby was not a storyteller. He didn't tell jokes, he didn't tell long stories. So that's a difference. I think fundamentally they're quite different. They share being very smart, wonderful intuition. Clinton's probably more of a natural people person by far. Kennedy loved children, but I don't think he necessarily loved all people in a political way. I think he had to make himself be a politician. Clinton wanted to run for elective office from the time he knew what elective office was. That's not true of Bobby Kennedy.

**Berkowitz:** You said before that you had seen the Clinton treatment up close. Are you referring to this magnetism that he had?

**Edelman:** Oh, yes, you know this. You talk to him and he's got a way of making you think you're the only person in the world even if there are a thousand people around you. I don't mean to say that it's a gimmick. He loves people and he does focus on people and remembers everybody's name. Hillary has that quality too.

This gets far ahead of the story, but I saw Clinton about a year ago at a memorial service for Burke Marshall at the Yale Club. He gave a wonderful speech, absolutely concise too. It was right after the dean of the Yale Law School had given this 15-minute all-about-himself yuck speech. Started from the fact that he and Burke Marshall had once taught a course together and this is what the course was and this is what, anyway—

**Berkowitz:** It's a good rule of eulogies that you mention the person who died.

**Edelman:** He got that one. Clinton got up and he said, "Burke Marshall made me proud to be a southerner again, because he brought justice to the South and made it so that I could hold my head up as a southerner." He said some other things along that line. I went up to him and I said, "That was just wonderful." He held my hand and he said, "I'm so glad to see you. How are you doing? How's Marian? How's Josh? How's Jonah? How's Ezra?" In my head, *He's doing it to me*. So that's what it is.

**Riley:** The inference was that in your head you said that but maybe in your heart you were feeling—

**Edelman:** I enjoyed it, I appreciated it. What's not to appreciate?

**Riley:** Exactly.

**Edelman:** It's very sweet. It's not that he's manipulating me. What does he need from me?

**Berkowitz:** You wonder what kind of intelligence it is to be able to remember names. That's obviously a particular, like having musical ability or something.

**Edelman:** It's like perfect pitch. My brother has perfect pitch. I know what perfect pitch is. My mother had it too. I don't.

**Riley:** You said at one point in your private conversations with Robert Kennedy he once said that he didn't have a—I can't remember exactly how you phrased it.

**Edelman:** He didn't have somebody to do for him what he had done for his brother.

**Riley:** Exactly. Was it your sense that Bill Clinton had somebody to do that function for him?

**Edelman:** I don't know enough about it. I would say Hillary was that.

**Riley:** That was why I asked the question.

**Edelman:** I would say Hillary was that. I don't know enough about the details of their functioning politically to tell you that in a definitive way, but I would say Hillary was that.

**Riley:** We'll want to delve into a lot of these broader questions as we get to them, but let me go back and pose one specific question. You mentioned the Family Support Act earlier, which I think is important historically because of what it presages with welfare reform later. You said you knew very well about Clinton's role in that. Can you characterize that for us and tell us how—

**Edelman:** I wish I could give you the precise details, but it basically had to do with the degree of coercion for welfare recipients to go to work, and the amount of investment in childcare and training and the work support side. The legislation was a delicate balance, it was a bipartisan compromise. It was based on a similar California compromise at the state level that itself was a very interesting bipartisan compromise. The Democrats gave in on the principle of compulsion in return for the Republicans giving in on the principle of investing in helping people to go to work. The program in California was called GAIN—Greater Avenues to Independence. So that model was taken national in the Family Support Act.

The tweaking of that in terms of how much compulsion on the one hand and how much investment on the other hand was at the heart of the proposition. The role he played was essentially, without my being able to tell you the exact details, to push it in a more conservative direction.

**Berkowitz:** In the usual narrative of the passage of that law, I think Moynihan has always said the National Governors Association was a key player and he was the key guy in the National Governors Association.

**Edelman:** Correct. I believe he was the chair of the National Governors Association. Moynihan was mad at Marian because he claimed that the Children's Defense Fund had opposed the Family Support Act, which I think is actually not true. I think they had opposed the conservatizing of it. Clinton played an important role in the shaping of the legislation.

**Riley:** But that conservative tweaking on these issues, just to be clear, overall didn't give you cause for concern politically. You could oppose him on the specifics here without it compromising your overall confidence that this was somebody—

**Edelman:** Oh, sure. We were—more Marian than I professionally—but jointly, as a couple, we were pissed. The Family Support Act is light years different from the 1996 welfare law. It was a tweaking—using that word—

**Berkowitz:** For one thing it didn't continue that structure of entitlement.

**Edelman:** It was an adjustment in the way in which bills were framed, but at the end of the day on the childcare legislation, for example, something was enacted that was worthwhile. No, I think these were irritants but not enough to say—

**Berkowitz:** It's a shrewd choice of issue for him too, I wonder what cued him to—because it's an issue that Governors have influence on, one of the programs that they have big input on at the state level, and yet it's one with carryover on the national reform agenda as opposed to some other arcane committee that he could have been on at the National Governors Association. Do you think he had an eye for that or was maybe Hillary—?

**Edelman:** Wasn't he the chair of the National Governors Association then? Wouldn't it be more a question of choosing, not so much what committee—

**Berkowitz:** Which issue.

**Edelman:** Yes, but partly those were the issues that came along during that period of time. Actually, the Family Support Act was signed by Reagan, but late Reagan wasn't the same as early Reagan. Democrats had taken over Congress in 1986. Certain things bubbled up to the surface anyway. I wouldn't say he made particular choices to be involved in this issue and not in that issue. It was the business of the day.

**Berkowitz:** The cards he was dealt.

**Riley:** Let's take a break.

[BREAK]

**Riley:** So when it comes to the 1992 campaign cycle, are you on board fairly early? You've been consulting with him, you've been arranging appointments and things.

**Edelman:** I was involved relatively less in the '92 campaign than I would have been if he had run in '88.

**Riley:** Why is that?

**Edelman:** I'm not completely sure. I still had some doubts as a consequence of that performance at the '88 convention. I remember I saw Anne Wexler somewhere and she said, "How's our

candidate doing?” This was early on. I said, “Well, depends who your candidate is.” She looked at me really strangely because I was not all that enthusiastic.

**Riley:** It was just his performance there or was that a sign of something else that had you concerned?

**Edelman:** I probably would amend my answer to your earlier question about those experiences that Marian had. I think I was more irritated at him about those things. I think she was more forgiving than I was.

**Riley:** You’re talking about all of the conservative tweaking of—

**Edelman:** Of those things that had really been very important to her, and where Hillary had been caught in the middle, where he had been somewhat roundabout in some of the things that he had done. I think I still had some reservation from that.

**Riley:** Death penalty?

**Edelman:** Death penalty was some of it, when he went back to execute Ricky Rector.

**Riley:** But that was much later.

**Edelman:** That was later.

**Berkowitz:** From a person like yourself who has staff experience for political figures, what do you suppose happened in 1988 that this guy with such good pitch couldn’t figure out that tack wasn’t going to—?

**Edelman:** Beats me, absolutely beats me, to this day it beats me. I just don’t know. I remember I was down at the other side, at the AALS [Association of American Law Schools] in San Antonio, and took a long walk with my friend Michael Wald, who is a national expert on child welfare, and they had a child welfare piece of litigation in Arkansas. Michael was really pissed.

**Riley:** This would have been about when?

**Edelman:** This is January ’92. I said to Michael, “You’ve got to back him. He’s the one. You’ve got to just put your reservations—” So it’s not that I was opposed to him, it was much more that I was saying, “Fine, but I’m not going to spend all that much time on it.” I was still associate dean until June and had those responsibilities. That’s another little piece in it.

**Riley:** My question was whether there was a pragmatic concern about the possibility of a Democrat winning that year. Had you been through two or three election cycles—

**Edelman:** No, that wouldn’t matter. I’m in there. Win or lose, I’m in there. But there is some Gennifer Flowers that comes into it and there is some—all the stuff that we all know.

**Berkowitz:** Vietnam?

**Edelman:** Yes, avoiding the draft and not inhaling. The whole list of things slowed me down. Again, not about whether I was for him getting nominated, it was much more about how enthusiastic I was about jumping in to campaign.

**Riley:** Did Marian feel the same way or was she more vigorous in her support?

**Edelman:** She had the excuse that she's running a nonprofit and doesn't have to make that kind of decision. In any case, later in the year I got much more involved, in two different ways. There were a bunch of attacks on Hillary in terms of having advocated that children could vote and that kind of stuff. So I got a group of family law professors to develop a joint analysis of all of Hillary's writing in that area and parse it out as being responsible. The campaign asked me to do that.

Then he had made this promise that anybody who did two years of community service would get their college tuition paid. My son, who was working down in Little Rock in the campaign, called me up and said, "Dad, that doesn't add up. That just doesn't work. There isn't enough money around to do that on any sort of universal basis." So I got involved with some people who caused there to be a task force on what would happen about that. Because I said to Mickey Kantor or somebody, "We have a vulnerability here and we ought to start working on it." So I was involved in the campaign but much more after he was nominated.

**Riley:** One other thing that had happened during this period of time early on was the series of speeches at Georgetown, one of which was a pledge to end welfare as we know it. Did that speech raise concerns?

**Edelman:** No, not particularly. If you look at the fine print of "Putting People First," what he was saying is that if, after two years, somebody didn't have a job they would have to get off welfare and go take a job. And he was strongly implying that there would be a job created with public money and if not, they could stay on cash assistance. They wouldn't be dropped off a cliff. So, I said to myself, *It's not the way I would phrase it but the underlying policy is all right.* No, that was not off-putting.

**Riley:** Did you do anything at the convention that year? Did you go to New York?

**Edelman:** No. Marian did.

**Riley:** You said you'd been involved in this group working on national service. That was before the convention or after?

**Edelman:** After. The two things I did in the campaign were both later on, during the general.

**Germany:** A broad question, just to get your take on Clinton's appeal to traditional Democratic voters. He's been given credit for bringing back the so-called "bubba vote." Has this been overemphasized?

**Edelman:** White males have been a problem in the Democratic Party for a long time. I don't remember how well he did. He got elected, he did a little better, but there's still been a gender gap on a continuing basis.

**Germany:** I guess one of the underlying questions of that is the role of region, the role of the South and Clinton being a southern candidate, Carter being a southern candidate.

**Edelman:** I think the evidence is that we don't elect Democrats who aren't from the South, since John Kennedy.

**Riley:** Did Clinton have much difficulty with more liberal constituencies, or was it the case after 12 years of Republican rule people were willing to swallow an awful lot that they might not have otherwise in order to win?

**Edelman:** I think so, although there were immediate pressures on him when he won. The whole gay community pushed very hard. He probably jumped too soon on that issue and colored the first part of his Presidency rather heavily with that whole issue that resulted in "don't ask, don't tell."

**Riley:** But during the campaign you weren't picking up signals from people who would have been within your natural community saying, "This guy is too conservative, I'm going to have to sit this out."

**Edelman:** Not much, no.

**Riley:** "I don't have much enthusiasm."

**Edelman:** No, I don't remember much of that.

**Berkowitz:** What was your read on the election? Did you think he was going to win?

**Edelman:** When?

**Berkowitz:** September, October?

**Edelman:** I thought he was going to win when Ross Perot dropped out.

**Berkowitz:** When was that?

**Edelman:** He dropped out and then he came back.

**Riley:** He dropped out the day the convention began.

**Edelman:** As late as June, Bill Clinton was running third. That was another thing. I guess I shouldn't have been affected by it, but for the whole primary period it looked like he's going to

get nominated but so what. I remember a conversation I had with a pal of mine who worked for Teddy for years. Said to me about February or March, “Your guy is going to get nominated, but he’s going to get whumped.”

**Berkowitz:** That was the conventional wisdom at the time.

**Edelman:** So I probably should have been more active, but I think what I said was some of what was going on in my mind. It was amazing actually. It was absolutely amazing. Perot drops out, that’s so dramatic. Meanwhile [George H.W.] Bush is disintegrating, and then Perot comes back in just in time probably to help him a second time.

**Riley:** Exactly. Did you go to Little Rock for the election?

**Edelman:** Yes, we went down. Just for the evening.

**Riley:** Any stories from that period?

**Berkowitz:** Where did they put you up? What was the deal there? Did the campaign put you up or—?

**Edelman:** I don’t know.

**Berkowitz:** How does one participate in a thing like that, just decide that that’s the thing to do?

**Edelman:** There was a charter plane that we knew about somehow that we were—

**Berkowitz:** Who was sponsoring the charter plane?

**Edelman:** We had to pay. Somebody called somebody and said you could go down on the charter plane.

**Riley:** There was a big party.

**Edelman:** Yes, that was more Marian being hooked into it than I because I didn’t make the arrangements.

**Riley:** During the transition, you’re given a formal position with the transition.

**Berkowitz:** What was your take on the selection of Al Gore who looked so similar to Bill, another southern Democrat from a neighboring state?

**Edelman:** I didn’t have a particular reaction to it one way or the other as I recall. I thought I saw the point, which was a youthful ticket, both very able, promising young men. Then the way they handled it with creating the four of them going out campaigning together. There was a lot of excitement about that, so I thought it was fine.



**Berkowitz:** We were going to talk about the transition.

**Riley:** I was going to ask if you recall how you were approached.

**Edelman:** Yes, very specifically. I wanted to be involved in the administration and I thought that was one thing I'd never done, even though I'm quite aware of the irrelevance of transitions. Not the hiring part, that's not irrelevant, that's quite essential. But the development of big fat briefing books. Having been around politics for a long time, I thought it would be interesting. I had the time to do it. I really did want to be involved in the administration, so specifically, I hand delivered a letter to Vernon Jordan, who is a good friend of ours, less so now but was a good friend of ours, is the godfather of our third child.

Nothing much happened. I talked to him on the phone, and he said he'd see what he could do. Then I got home from giving a speech in which I said to a whole bunch of nonprofit executives, advocates, "You guys better get your advocacy clothes on here because you're going to have an awful lot to advocate for if you want good things to happen in this administration." I walked into my house and my wife said, "Vernon's on the phone." He said, "You're going to chair the Justice Department transition." Oh, okay.

**Berkowitz:** It was interesting they thought of you that way at Justice rather than say HHS [Department of Health and Human Services] or—

**Edelman:** I think I may be—I don't know—

**Berkowitz:** By this time you're in another world a little bit too.

**Edelman:** No, it goes the other way. I'd been in that other world for a long time, that HHS type of world, poverty type of world, but I had become more of a lawyer in the '80s. What I don't remember is whether I had specifically asked Vernon if I could do something in relation to the Justice Department or whether that was his idea. In any case, I was delighted.

**Riley:** Did you get marching orders in that call or was there a meeting or subsequent telephone call set up for you to get a sense about your mission?

**Edelman:** My recollection is that there were meetings immediately. Bernie Nussbaum was also asked to come in. He's my friend, so we were co-heads of it. I think I was technically the head of it, but we essentially did it together. Very quickly there were meetings. We basically invented, at least what we did about the Justice Department. We started talking to lots of people about how to structure it and it was an amazingly fast thing. So you get lots of résumés. First of all you get people who think you can get them a job and you have to say, "No, that's somebody else."

**Riley:** So you didn't—

**Edelman:** We had nothing to do with jobs.

**Riley:** Personnel is something else.

**Edelman:** Personnel is completely somewhere else, it's one floor up.

**Riley:** So your job is policy—

**Edelman:** When I want my job I go upstairs to see how they're doing.

**Berkowitz:** Did you take leave from your job?

**Edelman:** No.

**Berkowitz:** So the convention here is that it's an extension of your volunteering during the campaign in a certain sense.

**Edelman:** I'm an academic, so I was finished teaching for the semester anyway. Or, if I wasn't finished, I was going to be in a week or two.

**Berkowitz:** I see. Did you read Richard Neustadt or anything? Did you read about presidential transitions?

**Edelman:** No.

**Berkowitz:** Did you have any history? Did you know what John Kennedy had done and so on?

**Edelman:** I didn't care.

**Berkowitz:** Didn't matter.

**Edelman:** I didn't care.

**Berkowitz:** Why not?

**Edelman:** Because I thought I knew how to do it.

**Berkowitz:** How would you know that?

**Edelman:** How would I know that? Because I've only been around politics and government for 35 years or so.

**Berkowitz:** But not in this transition.

**Edelman:** It's not rocket science, although it's very hard work. What you're doing is preparing materials for the next Attorney General and for whoever her top appointees are going to be, which are briefing materials about soup to nuts, A to Z, everything in the Justice Department. You have to figure out how to organize that. Some of it is pretty straightforward, Civil Rights Division, Civil Division, Criminal Division, Tax Division, so on and so on. There are a bunch of

cross-cutting things. Haitians, there's a big controversy right then about our position on intercepting Haitians on the high seas and sending them back. There's litigation pending, and he's made a promise during the campaign to take a different position from the Bush administration, which he broke. So you get a cross-cut of things that don't work bureaucratically.

Then you have some very delicate things, like what do you do about Bill Sessions? Are you going to recommend that he be fired because he's gotten to be very controversial? I had a somewhat surprising experience recently. I'm involved with something called the Constitution Project, and my friend Ginny Sloan—who is very good at getting more conservative people involved in her stuff. She does some death penalty stuff, various kinds of things. Bill Sessions was at a party at her house. I had no idea that he even remembered who I was. We were talking and all of a sudden he makes a remark that indicates it's his belief that I caused him to be fired as being the head of the FBI [Federal Bureau of Investigation]. Well, that's certainly what we recommended but I don't think we caused it. So I don't know what Neustadt says, and I don't know how somebody else organized it. I think it's just fairly evident what you want to do.

We organized a series of subgroups and made calls to get people to chair the subgroups and then figured out who we wanted, people we know because I knew 500 percent more about Washington than Bernie did. So it was mostly me because these are all people I know one way or another. You call somebody and say, "Would you chair?" I had my colleague, Emma Jordan, an African-American woman who has been president of the Association of American Law Schools. I asked her to do the Office of the Attorney General because she's smart and there's some good symbolism in that.

In some cases you'd call somebody to get suggestions for people. Then you say to people, "Look, so far these are the things we found out, things you have to look into." Then they fill out their sub task forces with a combination of names you give them and people they bring in, whom they have to tell us about because there's a certain modest amount of vetting that goes on, although you haven't got time for any deep vetting because everybody's got to go right to work.

**Berkowitz:** It's a matter of days, right?

**Edelman:** This has got to happen. You haven't got time to study up on anything. We're talking to the press and we're talking to our chairs and they're saying, "What about this and what about that? How do you want us to handle this? Or "This is what we're finding. What form should it take and what substance?"

**Riley:** Are you reporting all this back to Vernon?

**Edelman:** When there's an issue I'm going to Vernon and saying, "We've run into so-and-so, what do you think we should do now?" Now here is something that happened. The same Ginny Sloan calls me and says, "There was a crime bill last year and the Democrats in the House were reluctantly in favor of it. Clinton can get a better bill, a less conservative bill. But he needs to draft his own bill and not leave it to the people on the Hill, and he needs to signal fairly early that he's not going to just start from the bill that didn't get enacted."

So I got Ron Klain to draft a memo, because he knew about all that, to send to Clinton, which Bernie and I would sign, that said we have this information and it seems urgent enough for you to take a look at this and make an early decision to get some people drafting legislation. It was a three- or four-page memo. He wrote back on it essentially that he wasn't convinced it was necessary.

That was an aside. That was the only time that we communicated specifically with Clinton during that period. We ended up with a big thick book with recommendations for each piece of the Justice Department, including some I hadn't even known existed. I had worked there and I did know a fair amount about it. Some of them were about people, most of them were about issues, and then we had a front section about "these are hot buttons that are going to face you right away, and where you're going to have to do something right away. These are your heads-up pieces."

**Riley:** But the audience for this book was the Attorney General.

**Edelman:** The basic audience for the book was the Attorney General. It was obviously made available to the President and to the President's staff. I doubt that they ever looked at any of the books.

**Berkowitz:** What's the timing of the appointing of Janet Reno compared to the finishing of the book?

**Edelman:** The first thing that happens is that Zoë Baird gets appointed.

**Riley:** Let me stop before you get into the appointments process and ask one other question. There was a fairly small operation during the course of the campaign working on transitions, which I think was being directed by Mickey Kantor. Did you make use of that in any way?

**Edelman:** I forgot to say that I started to lobby Mickey to be involved in the transition because I forgot about it until you said that. But in terms of any material coming out of there, no.

**Riley:** You're exactly right that part of the problem is always that these things are confronting a terrific time crunch. I think some people, at least in the campaign, were trying to get a head start on this in a very rudimentary way. But I don't have a clear picture about what they did.

**Edelman:** I don't either, and I don't remember getting anything from Mickey. I probably received advice from somebody within the campaign about how to structure the transition effort, but I think Bernie and I essentially invented the procedure ourselves.

**Germany:** Did any of the people responsible for the personnel decisions come to you to see what sort of vision of the department you were developing? Was there communication between you?

**Edelman:** Very little. I was struck by that.

**Germany:** Did you get a sense that after the appointments were made they paid attention to what—

**Edelman:** Janet did, I know that, I'll tell you about that. And Zoë did. Kimba [Wood] wasn't in it long enough.

**Riley:** Right. Go ahead. I'm trying to think if there's anything else related to the transition. Most of those Cabinet appointments were made fairly early. Were you aware that Zoë was going to—

**Edelman:** Yes.

**Riley:** Tell us how that came about, and then we'll go ahead and track through the AG appointments to the extent that you were involved in that.

**Edelman:** She gets designated, essentially when we're almost done. Whether it's the day we're done or two days before or the day after, I don't remember exactly. It's certainly while we're still in play.

**Germany:** What is the time frame of the transition?

**Edelman:** We started the first week in December and turned in our report a couple of days before Christmas. We did all the work in about two and a half weeks. It was huge. We staffed up to having a hundred people in a matter of three or four days, by getting ten people who got ten more people.

**Berkowitz:** All volunteers.

**Edelman:** Everybody's a volunteer, nobody gets paid anything.

**Berkowitz:** All eager to come and help—maybe they'd like to get a job.

**Edelman:** Oh, my goodness, yes, maybe they would, just maybe, we'd just be speculating. [chuckling] It was a very heady time. It was in a brick office building on New Hampshire Avenue between L and Thomas Circle. There's an Au Bon Pain across the street. Bernie and I would go for lunch. We're in a set-up where State is next door and Education is through that door over in the next set of rooms. The entire government is in these sets of cubbies. Sandy Berger is down the hall and Federico Peña is around doing something or other, and our friend Johnetta Cole from Spelman College is doing the Education. It turns out she's got some baggage so she can't get an appointment. So some people end up in the administration and some don't.

**Riley:** Are the personnel people talking with you about your potential role at this point?

**Edelman:** I wished they would, and I kept going upstairs. I wanted to be either Deputy Attorney General or Associate Attorney General, and I really didn't particularly care about being an Assistant Attorney General and I did want to be in the Justice Department. I didn't particularly want to work in the White House. I had a prescient sense that that might not be the most pleasant

place to be. But it was a more inarticulate sense that I really didn't want to work in that White House.

**Riley:** You and Bernie were working closely together. Was he getting feelers from upstairs about—?

**Edelman:** He didn't say. We went away to Jamaica—I'm getting ahead of the story—and came back and found that he'd been made White House Counsel. That's okay. Bernie is much more of a lawyer than I am, and he had been helpful in some of the litigation during the campaign. He's a very tough litigator, former prosecutor, so that was fine. I had made known that those were the jobs I was interested in.

Zoë Baird gets named. I call her and say, "I've got all this stuff." She said, "I'd really like to see it." I said, "I'd really like to work with you." She said, "That would be good."

**Riley:** Do you know where her name came from?

**Edelman:** Lloyd Cutler.

**Berkowitz:** Where does she live?

**Edelman:** Connecticut. Her husband is at Yale.

**Berkowitz:** Did you go see her?

**Edelman:** No, no, she was coming to Washington. So she said, "When I come to Washington we'll get together." Fine. On Christmas Day two things. One is I find a courier willing to come and make a pickup, DHL. So I send her the stuff. But she's sufficiently impatient that she can't wait until the next day. So my family is having dinner downstairs, and I'm feeding the fax machine.

**Berkowitz:** My goodness, on Christmas Day.

**Edelman:** On Christmas Day.

**Riley:** How many pages?

**Edelman:** A lot. I can tell you, I had one pissed-off wife. Then we take the family to Jamaica, come back, and we had one appointment she was unable to keep—I don't think there was anything particularly nefarious about it—and then the thing breaks about the housekeeper. In fact, I got the first phone call about the housekeeper from a *New York Times* reporter, I think it was David Johnston, but I'm not sure. It was a *New York Times* reporter. I said, "Look, I don't know, I'm not in personnel, I don't know anything about this." So of course I quickly made phone calls to a whole bunch of people saying, "This is what's coming down."

We get close to the inauguration and the actor Richard Dreyfuss comes to town, he's been involved with me with Peace Now, the peace movement in Israel. So I take him up to the hearings on her confirmation. I take him up to meet Joe Biden and we're having our picture taken together, and Joe Biden says out of the side of his mouth, "You tell them downtown that they better get rid of her." So I said, "Okay, Senator. Not my department but I'll carry the message." He said, "Thanks very much."

**Berkowitz:** Wow, who do you call then?

**Edelman:** I don't know, I called somebody. So she gets dumped before she even hires me. Then there's Kimba Wood for about five minutes. Meanwhile, it turns out, I think before Janet gets appointed, because time is passing now, Phil Heymann gets made Deputy Attorney General, that's reasonable, he'd been Assistant Attorney General in the Criminal Division so he gives prosecutorial credibility, and he's my friend anyway. And they appoint Webb Hubbell to be Associate Attorney General. I thought, *Okay, I've been operating at the wrong pay grade here. I should have played this differently but fine.*

Janet Reno calls me when she has been essentially selected or is about to be selected and says, "Can I meet with you?" So I brought her all the stuff and I spent four hours with her going through all of it. She was very attentive and very interested, and it was clearly very productive and important in helping her get a jump-start on the job. I feel good about that. I think we made life a lot easier for her and the product is very solid because we fanned out—Bernie and I met with [Richard] Thornburgh, or maybe it was [William] Barr—there was a guy named Barr, wasn't there?

**Riley:** Yes, Bill Barr.

**Edelman:** He was the Attorney General then or the Deputy?

**Riley:** Thornburgh had left.

**Edelman:** So it was Bill Barr we met with. He was very cordial, he told us a lot of helpful stuff. As I said, we met with Sessions and we did some of those things ourselves where it was necessary for us to do the meetings. A lot of our people were ex-Justice Department. They knew or they helped people who knew the department very well. So we had extremely good intelligence about the mechanics of how these things function, but also much more importantly the pending issues and some suggestions—never saying, "This is what you should do," but some suggestions about options and arguments pro and con. I think we had been asked not to have bottom lines on things, that we should just present a thorough analysis and leave it to somebody what to do, just so the issue would be flagged, that they would have the background. I recollect fairly strongly that we'd been asked not to actually—

**Berkowitz:** Pros and cons.

**Edelman:** Yes, just do pros and cons, not make an outcome recommendation.

**Germany:** Were you talking in some cases about specific cases?

**Edelman:** Some of it was specific cases. Some of it was cases that are pending in the Supreme Court where the department hasn't yet taken a position and where you're going to have to decide fairly quickly exactly what position to take. So there were all different kinds of pending actions where it was just very helpful to have it all in one place, whether it was litigation, in some cases it was pending investigations. In some cases it was policy issues. Some of it was organizational. There was a question about merging this office with that office. What about the future of the DEA [Drug Enforcement Agency]? Some of the kinds of things that were involved in the creation of the Department of Homeland Security were potential sorts of reorganizations that we had in the book. It was quite comprehensive and informative.

**Berkowitz:** Did you go to the inauguration?

**Edelman:** Yes.

**Berkowitz:** Did you get good seats if you were a transition guy?

**Edelman:** Maybe because we were old friends or whatever, yes, we had good seats.

**Berkowitz:** Meanwhile in the house, while this was going on, you must have been looking at the parallel process of the Department of Health and Human Services?

**Edelman:** No.

**Berkowitz:** Not you maybe but your household?

**Edelman:** Maybe a tiny bit, maybe she had, maybe some of her people had some input. The more important point there was that number one, Donna called me pretty early on and said, "Why don't you come to work for me?" I was Donna's first employer, after she got her Ph.D., in the Goldberg campaign. She came to work for me as a staffer. My staff in the Goldberg campaign consisted of Donna Shalala, Stephen Breyer, Alan Dershowitz—

**Berkowitz:** They all did well.

**Riley:** Except the candidate.

**Edelman:** Except the candidate. But all those people, I got them started in life.

**Riley:** Wonderful.

**Berkowitz:** What was she doing in 1970, was she a graduate student?

**Edelman:** Yes, she'd just finished her Ph.D. at the Maxwell School and then she got a junior appointment at Columbia, political science department, and then she was put on the Big Mac board in about 1974 when New York City went bankrupt, the Municipal Assistance Corporation.



And then she was Assistant Secretary of Policy in HUD and then president of Hunter College. Then she was chancellor at Madison, University of Wisconsin.

**Berkowitz:** So she was at the time chancellor of the University of Wisconsin. Had she been on the board of your wife's organization?

**Edelman:** Yes, that's the connection.

**Berkowitz:** So there was a tight connection in that sense. Your wife wasn't interested in being—

**Edelman:** Never, turned down Carter too, never.

**Berkowitz:** Did she—obviously we can ask her, did she recommend Shalala to Vernon Jordan or to Clinton?

**Edelman:** Vernon Jordan wasn't doing personnel. She probably had conversations with people about people.

**Riley:** Did Janet Reno explore with you the possibility of taking a lesser appointment in the Justice Department?

**Edelman:** No. At that point in time I really wasn't interested.

**Riley:** I understand—

**Edelman:** I didn't finish that story. Donna called me early in December and she said, "I'd really like it if you'd come to work with me. I'll figure out something." I said, "Donna, I really want to go in the Justice Department. I'd like to go back to being more of a lawyer." She said, "Fine."

She called me again in the middle of all this Zoë-to-Kimba-to-Janet stuff. She said, "Look, you don't know when that's all going to be settled." I'm not sure I knew about the Webb Hubbell appointment yet, but at this point I was thinking, *This doesn't look like it works very well for me and I could end up with nothing*. So she said, "I have this job that's called Counselor to the Secretary. You don't even need to be confirmed, you come sit in my office with me. There's no job description, we'll make it up. We'll have fun." I looked at that and I looked back over at Justice, and it wasn't hard. So I said okay, and I forgot about the Justice Department.

**Riley:** I posed the question because at least in the economics area there were some people who were very much underemployed, so to speak. Alice Rivlin, for example, took a deputy position, and somebody else who just jumped out of my head. But I had wondered whether that—

**Edelman:** Madeleine Kunin, Deputy Secretary of Education. She would have—

**Riley:** There were a number of people—

**Edelman:** Former Governor of Vermont.

**Riley:** There were a number of people who were like that, and I just wondered whether they might not have made a similar approach.

**Edelman:** Hillary said to Maggie Williams at some point in that time frame, “We have to make sure to take care of Peter.” So something would have happened but this was a pretty nice bird in the hand. I know the Justice Department quite well and except for those two jobs, there wasn’t really anything else in the department that I wanted.

**Berkowitz:** Does it hurt to be from D.C.?

**Edelman:** Yes, some.

**Berkowitz:** Because you have no Senator.

**Edelman:** That and the fact that there are a lot of former elected officials who need to be taken care of one way or another, who helped carry some state or something like that.

**Berkowitz:** I’ve heard Donna Shalala say that when she picked somebody for head of HCFA [Health Care Financing Administration] or something like that, she’d say, “Get your Senators and get them to talk to the White House so that when I present the name it’s already—”

**Edelman:** Yes, that’s right.

**Berkowitz:** You can’t do that so well if you’re from D.C.

**Edelman:** I was in the position that I was, at some level an FOB [Friend of Bill] and an FOH [Friend of Hillary], that’s all I had going for me, as well as perhaps having some ability. So I didn’t have a Senator to make the call. Anyway, it was fine.

**Riley:** A diplomatic appointment is not something you ever would have been interested in.

**Edelman:** Maybe this time. Have you got a small, safe country that’s inexpensive?

**Riley:** It sort of piggybacks on the question about Washington connections, with your wife being so firmly entrenched in D.C.

**Edelman:** Oh, yes, that’s quite right.

**Berkowitz:** People always say that they prefer the ones who don’t know about the country, the Foreign Service people, because then they can really run the show.

**Edelman:** But you’re right, we’re not as mobile as some people, that is true.

**Germany:** I have a question that's an aside to this, it's indirectly linked to the transition, the Justice Department. Did you play any role, perhaps informally, in making recommendations about Supreme Court Justices?

**Edelman:** Yes.

**Riley:** This is in the transition?

**Edelman:** Oh, no.

**Germany:** I'm just thinking, building upon what you did in the transition.

**Edelman:** No, that was just more because the people involved were all people I knew. Particularly Stephen Breyer. He clerked for Justice Goldberg, and he's been a friend now for 40 years. So we lobbied for him when—Joanna, his wife, actually came to see us and said, "Would you help?"

**Berkowitz:** When you say "we" you mean your wife—

**Edelman:** Yes, yes. No, it wasn't the royal we I meant, or the editorial we. So we weighed in—I think probably I more than Marian—but in any case, it was both of us, in fact, speaking, when Ruth Ginsburg was appointed. At that point I had a conversation with Clinton himself about it. We were invited to the White House for dinner one night. We had drinks up on the balcony and he said, "Ride down in the elevator with me, I want to talk to you." So we rode down. He said something about some issue about Breyer that actually wasn't true, and I think what he was doing is he was conning me. Then he appointed Ginsburg.

There was a byplay about Ginsburg. Ginsburg was relatively conservative on the D.C. Circuit, so there were people who thought that if they were going to appoint another woman it should be Patricia Wald or at least shouldn't be Ginsburg, maybe Stephanie Seymour from the 10<sup>th</sup> Circuit. So I was a little involved in some of that although I didn't care that much about it. It was more that I wanted Breyer.

Then the second time, the three candidates were Bruce Babbitt and Richard Arnold, who's a very dear friend of mine, and Breyer. Richard Arnold was a year ahead of me in law school and he's an 8<sup>th</sup> Circuit judge, a wonderful, wonderful judge, very erudite, probably not as liberal as Breyer but he's a very decent human being. [Richard Arnold passed away on September 23, 2004.]

At that time it wasn't so much that I was lobbying for Breyer as to say that I thought either one of them would be good but I thought Breyer was probably better, based on the fact that he was the more liberal of the two. But it wasn't like I was a huge advocate. In any case, I was in the White House for a meeting and they said, "The President is going to announce the appointment. Do you want to come and hear?" I saw somebody who had been involved in the process and I said, "Who's getting it?" He said, "It's your friend." I said, "Which one?" He said, "Breyer." So I think the impression there was that I was for Breyer. Anyway, that's peripheral.

**Riley:** Did Breyer also have a nanny problem?

**Edelman:** No, Breyer had a marijuana problem that was bogus. That was the thing that the President said to me, but it was totally bogus.

**Germany:** A marijuana problem means that you smoked marijuana.

**Edelman:** That he one time in a group of people took one puff on one joint, and Breyer says it's not even true.

**Germany:** That's a clearly transitional issue now.

**Riley:** Which is why I raised the thing about the nanny, because there was somebody else during that period of time who had had a bit of a nanny problem, the same kind of things that had gotten the two AG people, and if it wasn't Breyer I—

**Berkowitz:** There were other appointments that were not put forward because of that, for example the Social Security Commissioner, the first choice was someone they found out—

**Riley:** Had the same problem.

**Berkowitz:** The Social Security tax. In that case it's even worse.

**Edelman:** Oh, yes, I have a vague recollection of that. So that's the deal on that, the Supreme Court.

**Riley:** Let's go back to your job. You said you came in and you and the Secretary agreed that you would—

**Edelman:** But I do want to say parenthetically that the reason he didn't appoint Richard Arnold was that Richard Arnold has cancer. He told me that himself. This is beyond what you need to know, but he has a form of cancer that is not fatal. He wasn't expecting to die, he's still alive, he's still sitting, but his doctor would not certify to the President that he wasn't going to die. That's why he didn't get appointed.

**Germany:** In the context of Paul Tsongas basically dropping out of politics for a while.

**Edelman:** Maybe. Whatever the form of cancer is, Richard Arnold is fine, but the doctor wouldn't certify. At least as far as he knows, that's why he didn't get appointed. Because he's from Arkansas, he's known Clinton forever, he's this very elegant man, highly regarded. As I say, I slightly preferred Breyer anyway, but I just thought you might find this interesting.

**Berkowitz:** This is no relation to the Arnold of the Arnold Porter law firm.

**Edelman:** No, Richard Arnold and his brother [Morris] Buzz Arnold are both judges on the 8<sup>th</sup> Circuit. Buzz is a very conservative person, yet they're very close. Buzz was put on by a Republican President, Richard was put on by a Democratic President, etc.

**Riley:** Back to your job with Shalala. Tell me how you went about defining your job.

**Edelman:** It was fun. The first thing is, as I think you know, I wasn't going to come full time until I was finished teaching in May. But I was involved from the first day of the administration in the drafting of AmeriCorps. I don't remember the exact dates.

**Riley:** That's checkable.

**Edelman:** But the point I'm making is when do I go on the payroll? I may even have been a volunteer right at the beginning, because I'm teaching, I get paid.

**Berkowitz:** It must have been tremendously long days to be in Washington days and also teaching.

**Edelman:** Well, you're a teacher.

**Berkowitz:** At least some time teaching.

**Edelman:** Anyway, I'll tell you, January 21<sup>st</sup>, to walk into the Old Executive Office Building—I had actually been in there during the Bush administration once or twice to meet with Richard Haass about Middle East stuff but that didn't really count. I fundamentally hadn't been in that place for 12 years. To walk in the day after Clinton's inaugurated for a substantive meeting about the drafting of a new piece of legislation, that's kind of the aura of Lyndon Johnson and that wave of liberal legislation. It was thrilling. The whole first part of my experience in the Clinton administration was to work with Eli Segal and Shirley Sagawa and a number of others. There were a couple of young people, there's a young man named Robert Gordon who's now the director of domestic policy for Kerry's campaign, a brilliant young guy who had dropped out of Harvard to be in the campaign.

There were six or eight of us who drafted that legislation and worked on that. Rather quickly I was put on the payroll two days a week. I checked all that, whether that was legal with the law school and legal with the government etc., so I was fine. Then I came on full time and went off the law school payroll, I think May 1<sup>st</sup>.

**Riley:** Did you have a conversation with the President about this at any point, even in a social setting?

**Edelman:** No.

**Riley:** About what you were going to do or anything?

**Edelman:** No. I certainly had conversations with him after I was there. Vis-à-vis Webb Hubbell getting that job, it might have been smart of me to have gone personally to Hillary, but what it said to me when it happened was that they really wanted to put him there. He was going to be their political guy in the Justice Department. They didn't know then that Webb Hubbell was Webb Hubbell, so it seemed like it made sense. But otherwise, I was about to conduct the negotiation with Zoë Baird, which hopefully would have been fruitful, when that rug was pulled out. I was conducting a discussion with Donna all the way along. She cleared all of this but she and I did that business.

**Berkowitz:** Did you have an office in the Humphrey Building in that suite of offices where the Secretary is?

**Edelman:** Yes. When I finally get to the point of coming in full time, the first day I walk in and the physical layout is that you walk into her suite of offices and you're in a reception area where there are two or three secretarial desks. Maybe two there and one to the right. There's an office here, that was my office, and then over here, on the other side of the reception area, is Donna's big ceremonial office and her little office is beyond that. I can walk back and forth and walk in and see her anytime she's around. It was neat.

She says to me, "There's only one thing I need for you to do and that is that I'm combining two jobs here. There was another job called Counselor to the Secretary for substance abuse. I'm going to abolish that job and I want you to do that, so that will be a third of your time. That means you will be the point person in relation to all drug and alcohol policy within the department dealing with substance abuse and mental health services administration, dealing with the National Institute of Drug Abuse, to some extent CDC [Centers for Disease Control] and so on, and being our liaison to the drug czar, to the ONDCP, Office of National Drug Control Policy.

**Berkowitz:** That's a White House job, the National—?

**Edelman:** ONDCP is a White House agency, yes. It's the so-called drug czar. She said, "The rest of it we'll figure out." So in addition to what turned into the Corporation for National Service and AmeriCorps, that was the combination to begin with. That gave us time to add other things.

The first thing that happened beyond those things was there was a lot of talk about violence at the time. I got the idea that we could have a set of task forces on violence. I talked to Donna and she talked to Janet Reno, and they agreed that was a good idea. So Phil Heymann and I and Madeleine Kunin co-chaired a set of task forces. We had seven or eight or nine working groups on street violence or youth violence and violence in the media, gun violence, violence against women, and who knows what all else, but there were about seven of them. That was very time consuming and we prepared a report over a time period that ended around the end of '93.

**Berkowitz:** Who was the report to?

**Edelman:** It was a report to the President, to the White House.

**Berkowitz:** So you're working with someone in the White House.

**Edelman:** We were having a liaison with Bruce Reed on it.

**Berkowitz:** Were they going to have an omnibus anti-violence bill or something?

**Edelman:** They were going to have a crime bill, and what they did with our report was they deep-sixed it. So I have a copy. Because violence was the wrong word for their purposes. It was a really good set of reports and somehow *Business Week* found out about it, somebody leaked it to them and there was a piece in *Business Week* called, "The Report You'll Never See."

**Berkowitz:** If they knew that that was the case, why did they let the process go forward?

**Edelman:** I think Donna and Janet got out ahead of them so they let it happen, it didn't do any harm.

What happened out of that, they were now pursuing a crime bill, but remember what I told you about the transition, about the memo on the crime bill. They never drafted a crime bill of their own—big mistake. Essentially they were passive and they got presented with a really unsatisfactory piece of legislation. It's got 55 counts of capital punishment in it, and it's got three strikes and you're out in it. Basically they were like a little boat out in an ocean being pushed around by the waves.

So I show up and I'm Mr. Prevention. That's actually the way our report did get into White House policy. To say it was deep-sixed isn't quite right, because they knew I had spearheaded all of this stuff which, if you add it all up, the word "prevention" would be the one word you would apply to it. It wasn't that I was there to pursue each and every thing in there, but there were a number of things in there that made some sense and particularly because there were items that tracked things that people on the Hill were proposing. So there was the Violence against Women Act that Joe Biden had been proposing that had been hanging around for a long time that got put into it. There was something called community schools that Bill Bradley had been proposing that got put into it, and I was the person who was paying attention on the Hill to those pieces of the bill and arguing in the meetings.

I would go to meetings with Rahm Emanuel and a bunch of other people, rather extensive meetings, quite regularly, and I would sit there absolutely appalled. I would almost duck under the table and then they would turn to me and "What's going on with prevention?" I'd say something. Then I'd sink back into my torpor, so the crime bill was enacted.

There was a subplot in terms of the Black Caucus wanting, if there was going to be all this punitive stuff in it, they wanted what they called the Criminal Justice Act, which was a way of overruling the case out of Georgia that says the disproportionate racial application of capital punishment isn't unconstitutional—*McCleskey v. Kemp*. The petitioner's case was based on the [David] Baldus report. He's a professor at the University of Iowa.

They almost scuttled the crime bill because of a kind of left, right pincer on it. On the right, the Republicans had a great time in the House with the crime bill in the fall of 1994, because they held up healthcare by screwing around with the crime bill at a very critical time in terms of whether there was going to be a health bill enacted. They used up valuable floor time in the House with maneuvering on the crime bill. The crime bill actually went to conference at one point, and then the conference report got rejected and the bill had to be passed a second time as a whole. It was fascinating. It was actually more about healthcare politics than it was about crime bill politics from the Republican point of view.

Anyway, they finally enacted the crime bill, in the fall of 1994—I'll go back to '93 about other things, but just playing this out—and I had been the only person in HHS working on this. HHS has all these bureaucracies of legislation, all these different things, and I'm just doing my little thing there. We wake up and there's the Violence against Women Act, with a substantial sum of money for HHS. There's the Community Schools Act, also with money for HHS. So my HHS colleagues said, "That's nice."

**Berkowitz:** Surely the Secretary testified, no? On those bills, in hearings?

**Edelman:** I don't believe so.

**Berkowitz:** Just largesse from the Congress?

**Edelman:** Well, no, it was people in the Congress doing their own thing, adding their piece to this omnibus bill, but I essentially followed it from the administration side and did whatever politics needed to be done on it. Which wasn't a lot, but I'm still the one who did it. So that meant for the rest of the time that I was Counselor, the implementation of the Violence against Women Act and the implementation of the Community Schools were assignments in this job. So that's how that piece of my agenda—

**Riley:** Became part of your portfolio.

**Edelman:** There were two other things that came into my portfolio, and I still had some responsibility for AmeriCorps implementation. I always had a little finger in working with Eli Segal. But in the fall of '93, we woke up one day and Congress had enacted, as part of the reconciliation legislation for that year, empowerment zones [EZs] and enterprise communities, which is the old enterprise zone idea. In the middle of the night Bill Bradley and Charlie Rangel had needed to find a vehicle to keep this within the Finance Committee's and the Ways and Means Committee's jurisdiction, which were their committees. They had seized on Title XX of the Social Security Act, which was under their jurisdiction—

**Berkowitz:** Social services, right?

**Edelman:** The social services block grant, and they had added a little 20 prime to it, and they had run a billion dollars through HHS to be spent out over ten years. The grants were actually to be made by HUD [Housing and Urban Development] and by USDA. So Donna says, "Hey, it's our money, we have a fiduciary responsibility to see that this thing is spent well. I'm an urbanist,



you're an urbanist, Dave Garrison—" who is her pal and my pal—"is an urbanist. I'm calling the White House to demand a seat at the table, right? This is our money, they can't spend it without us having input."

So I became the point person within HHS and became part of the three or four or five people in the administration who planned the implementation of that legislation. There was a HUD person, there was the USDA person, there was me, and there were a couple of people from the White House.

**Berkowitz:** It was a pretty sensitive thing politically too, wasn't it, to pick the areas that were going to be helped?

**Edelman:** Great story. We draft this really beautiful request for proposals. It's so participatory, you have to show your community planning in order to get the money, especially for the big ones—there are going to be six big urban ones and three big rural ones. Then there are going to be 94 little enterprise communities, who cares, \$3 million each. But to get the big money you have to show how you're going to take this neighborhood and all the different things that you're going to do. It isn't just physical infrastructure; it's about human beings and their needs, a real HHS perspective on it. It really was very intelligent.

**Berkowitz:** Dave Hackett and Robert Kennedy revisited.

**Edelman:** Actually Bob Wood and model cities revisited, but you're close. So they go through the whole process, and the applications come in and they make the judgments. I go to a meeting with the Vice President, who had been put in charge of it, Secretary [Henry] Cisneros, Secretary Peña, I think Leon Panetta was there, Harold Ickes, and myself. And maybe one or two other staff people who have been working on it from the White House like Sheryll Cashin and Kumiki Gibson.

We've gone through this whole process and not one geographical entity west of the Mississippi has been picked. What are we going to do? Well, what about Chicago, their application wasn't so good. Maybe we could dump them. Cisneros says "No, [Richard] Daley summoned me, I had to make a special trip out there. He told me he's in a rough primary and if he doesn't get one of these empowerment zones, he's going to be in deep trouble. Have to give him one."

Why didn't Los Angeles get one? Because after Rodney King they took the whole thing for granted, and they submitted a lousy application and it just wasn't any good. What are we going to do? So we have Chicago, Detroit, New York, Baltimore, Philadelphia, and Atlanta. Finally after some back and forth Cisneros says, "I have this thing called Section 108," which is another economic development thing. So we will add two simulated empowerment zones, ersatz empowerment zones. Those will be LA and Cleveland. I don't know why Cleveland, because that's not west of the Mississippi. Then we'll create a bunch of enhanced EZs, enhanced versions of those \$3 million things, at \$25 million with this 108 money and we'll give those to Kansas City, San Antonio, Oakland. Now we're west of the Mississippi. After we picked them we had to work with all the cities and—

**Berkowitz:** San Antonio was a coincidental choice at this part.

**Edelman:** You'd have to double check me whether it was San Antonio, I'm not 100 percent sure, but anyway, it was more cities west of the Mississippi. It might have been Houston actually. So that's the story of what my portfolio came to be.

**Riley:** Well, this gives us a good launching pad for the morning.

**Edelman:** In terms of the drug and alcohol, while we are still on the launching pad here, I also got involved as a sort of public health policy person generally, between the violence and the drug and alcohol, and because I worked very closely with a man who was head of the Center for Injury Prevention and Control at the Centers for Disease Control. I gave quite a number of speeches that were about redefining public health for the 21<sup>st</sup> century, because I had enough public health in my portfolio so that there was a sort of overarching theme.

**Berkowitz:** There was a big Institute of Medicine study around the same time too, about the new public health or something.

**Edelman:** Yes, right.

**Riley:** Let's break for the day. We have certainly not exhausted the subject, I hope we haven't exhausted the respondent.

**Edelman:** Not at all. We've got a lot left to do.

**Riley:** A lot of stuff to cover, but I'm confident that we can get through it.

**Germany:** If J. Edgar Hoover had been FBI Director when you were doing the Justice transition, would you have done it?

**Edelman:** Would I have done the Justice transition? Sure. Would I have had any contribution to his being fired? Probably.

**Berkowitz:** Every President starts out they wanted to fire him but no one, he died in office right?

**Germany:** I believe so.

**Berkowitz:** Then they had to seal the files very quickly after he died.

**May 25, 2004**

**Riley:** The first thing I usually do is ask people who have spent the night with us if anything occurred to you overnight that you wish you'd said yesterday or that we should have covered but didn't. It's not uncommon for people, just as they're about to fall asleep to say—

**Edelman:** Say, oh, I should have said that.

**Riley:** Yes.

**Edelman:** I don't think so.

**Riley:** We got your portfolio out yesterday about what you came into in HHS. I want to begin by asking you about a couple of major items from the first year of the Clinton Presidency and whether you had any involvement, and if so, what that involvement was before we go back to some of the particulars of your portfolio. The first is the budget, the '93 budget.

**Edelman:** Not really.

**Riley:** Most of that would have been done—

**Edelman:** Basically before I was there full time. In any case, it was not connected to what I was doing.

**Riley:** Do you recall picking up any signals from the Secretary about her comfort level with what was going on in the budget process at that time?

**Edelman:** I was really not around that much because the time that they were paying me for I was spending at the White House working on national service.

**Riley:** Okay, rather than in the department.

**Edelman:** I didn't really show up to claim the office until late spring.

**Riley:** The other thing I was going to ask you about was healthcare. I would think this would occur at the level of close observation from being inside the government at the time. Were you witness to much that was going on in the healthcare initiative?

**Edelman:** A fair amount. Close observation because I was sitting proximate to Donna and because I was invited to sit in on all the meetings in her office. So I would hear about things at points along the way where all the HHS players were gathered, Judy Feder, Ken Thorpe, the economist, and Jerry Klepner, the other people who were working on it.

**Berkowitz:** Maybe we could talk just a little about that. Someone told me once that one of the reasons Donna Shalala was picked as HHS Secretary was that they knew she got along with Hillary. That was an important consideration because there already was an idea that Hillary was going to be the leader of the healthcare task force. Do you have any sense of that?

**Edelman:** I don't know, it's certainly plausible. It was not just that Hillary was going to be the lead person, but the decision-making was going to be controlled from the White House, by Hillary and Ira Magaziner and other people who were on the White House staff. That's something I do know about. It was a continuing frustration for HHS from the very beginning. Whether or not they thought that Donna would be more pliable because she and Hillary had a relationship, Donna was continually irritated about that. Not on an ego level. It was because she and her staff felt, from a very early stage, that the White House was headed in a disastrous direction. She was constantly going to the White House and saying to Hillary this or that about content and being rebuffed.

It was a very difficult period for all of those people. They did the technical work that they were asked to do. They were asked to do runs on one set of proposals or another, one idea or another, and they would do them and report back. The White House couldn't have done its work without the backup and content from the HHS staff.

**Berkowitz:** Actually HCFA staff too.

**Edelman:** Yes, I mean everybody from HHS who had anything to do with it, the HCFA people would have been and the ASPE [Office of the Assistant Secretary for Planning and Evaluation] people.

**Berkowitz:** Did you know Bruce Vladeck, did you work with him at all?

**Edelman:** Yes.

**Berkowitz:** The situation with the healthcare reform was that it was a White House initiative, which was going to clearly be run by HHS if it was passed, whatever came out of it. So you had the situation where the Secretary and ASPE and HCFA and HCFA's research people are doing research for this thing that they're going to run, but they're not actually out front. Actually, I think they also knew they were going to testify—isn't that right?—that they were going to have to defend whatever it was—

**Edelman:** Sure.

**Berkowitz:** Did you pick up on that? Did you talk to Bruce at all about it?

**Edelman:** I didn't talk to Bruce about it. It was what I picked up from being in these meetings. I didn't have one-on-one conversations about it.

**Riley:** Do you remember being surprised or did you have a reaction to the President naming the First Lady to head the task force? You knew both of them very well. Did you have a reaction to his putting her in—?

**Edelman:** I wasn't troubled about that because I did not foresee all that it meant. I was troubled about Ira Magaziner, and maybe those are inseparable points.

**Riley:** Why were you troubled by Ira?

**Edelman:** Because I had an impression of Ira Magaziner. He knew very little about healthcare. He had done that thing in Rhode Island, but that was a particular kind of task in Rhode Island and there was this arrogance—Now, I call it arrogance here, and yesterday I said that the Kennedys did the same thing and thought it was fine. But just because Ira is a very smart guy, the Clintons thought they could put him in charge of this incredibly complicated subject and he would be able to do what needed to be done. I was very skeptical of that, as were many people.

**Riley:** Sure.

**Edelman:** I didn't make that up. I was buttressed in that view by the view of many people.

**Berkowitz:** Why do you suppose they did it? Judy Feder would have been a good choice, there were a lot of people—

**Edelman:** Ira was their pal.

**Berkowitz:** And they didn't have the same close relationship with these health policy people?

**Edelman:** There's a combination of things here. The President and Hillary at the beginning, in my judgment, had an exaggerated view of their own combined capacity. It probably was a view that the two of them added together to a whole that was greater than the sum of the parts, that in their synergism they were even more powerful than each individually. So there's a pattern. They appoint his kindergarten friend as the Chief of Staff, a man who has never been in Washington. They appoint the chief policy person from the state house in Arkansas, Carol Rasco, to be the chief of the Domestic Policy Council. She is a nice person but demonstrably over her head from the outset and not likely to grow into the job.

And Ira, while he has a good deal more intellectual fire power than Carol Rasco does, and more experience in the political world than Mack [McLarty] does, is in that same frame. "We'll all figure it out together, Ira will help us." As opposed to saying, "If I'm going to be in charge of this I need to have at my side the greatest expert in the United States of America to be my policy aide on it." I think it stems from an underlying view that they didn't really need any help, that the two of them could take any problem and solve it.

A very distinct related point is that there was a very obvious lack of Washington insiders. Leon Panetta as the head of OMB [Office of Management and Budget] was about the only person

around with Washington experience. Harold Ickes doesn't come in for a whole year. George Stephanopoulos at that point in time is really a rookie. Rahm Emanuel is pretty much a rookie as far as Washington is concerned. That was a Carter mistake that people thought would not be repeated in the Clinton administration simply because it was so visible and recent for everyone to see.

They didn't make it for quite the same reason. I think Carter had a genuine animus and suspicion about Washington that was misguided in an operational sense. I don't think Clinton had that. He was thoroughly grounded in real politics and so on. So my theory is that in his case it was that he and she, working together, simply thought they didn't need people who were intimately familiar with the Hill and had deep relationships with Senators and members of Congress. That's the context.

**Riley:** There was also a bit of a problem I picked up in their skepticism about the former Carter hands. If you're looking for a Democratic farm team at this point, the most likely candidates are people who served in the most recent Democratic administration, for Carter. You'd have to go way back to your—

**Edelman:** No doubt there was some of that. Stuart Eizenstat, for example, had a very difficult time getting into the Clinton administration. It took him some months before he could get a job and then his initial job was okay, but he was somewhat underutilized. Then, as you know, he worked his way up to the point where at the end of eight years he was in a very powerful position because he's very able. But I think that's what that came from. So that's some of it.

There were people from the Hill who were very good, who did get into the administration in sub-Cabinet positions all over the place, but they weren't actually in the White House in any great measure, although maybe some of the junior people came from the Hill.

**Riley:** Most of your portfolio was in policy rather than appointments, but during the period of the transition the President evidently spent an awful lot of time working on Cabinet appointments rather than the White House staff. The impression we get is that the White House staff came together very late. There are stories of people not being notified until two or three days before the inauguration that they were going to have a position. That's consistent with your recollections?

**Edelman:** Yes, and certainly consistent with the story I'm telling you. Specifically, the Bernie Nussbaum story, now there's another person. The White House Counsel ought to be somebody who knows Washington. Bernie didn't know a thing about Washington. Very smart man, complete rookie when it comes to Washington. Bernie's in a very senior job, learned about that a little bit earlier, but essentially around New Year's. There's no question that much more work had been done on the Cabinet prior to that.

**Riley:** Your interpretation of that focus is again that the Clintons felt they could handle the White House but they wanted—

**Edelman:** Who is to say conscious, subconscious, complicated, more complicated, less complicated, but that's my two cents' worth of interpretation.

**Riley:** Theoretically, one rationale for centralizing control of the reform effort in the White House is that you're afraid if you farm bits and pieces out to the departments it's going to become captive to the enduring bureaucratic interests there. Would that have been a legitimate worry on healthcare from what you saw in HHS? Were there reform impulses within HHS that would have been consistent with what the Clintons wanted to do in healthcare reform?

**Edelman:** I think it's a balance. The Carter style was to decentralize too much, to really believe in Cabinet government. Stuart Eizenstat, Bert Carp, and David Rubenstein have told me that they didn't have a mandate. President Carter wouldn't allow them to bring together the Cabinet people and knock heads to come to a unified position on anything that had an inter-agency aspect to it. So that's one extreme. Surely the idea that the White House controls everything is the other extreme.

I think you can achieve a different balance where the White House is in charge but it listens. Here's what the people in the department have to say. It weighs that and filters it, and it comes to a synthesis that is tempered with the political judgment and unifying vision of the White House, but it's grounded in the expertise that's in the agency. I think that's quite possible.

**Riley:** Your sense of the way the operation was being directed was that they weren't listening.

**Edelman:** Fundamentally that they weren't listening on the health care, maybe on some details, but you remember the tollgates and the 500 task force things. I like the [Haynes] Johnson and [David] Broder book, I think that's a very good recounting of what happened. Those people were being used and they were ignored as well.

**Riley:** You're talking about the inside people?

**Edelman:** No. All of those people who were, during that heady period when there were all of those working groups. I went to talk about substance abuse treatment twice—

**Riley:** With?

**Edelman:** Working groups. They would announce themselves as, "We're working group number 72, and we're in charge of this little piece of thing here and that's why we're asking your advice." Another day I went to working group number 28. It was an amazing agglomeration of people from all over the country who were ecstatic about being asked to participate. What they all came up with was almost totally ignored in the stuff Ira came up with. So it wasn't just HHS that was ignored, although HHS is at least a focused, organized, coordinated place that will pull itself together and present you with one picture. These however many working groups, how in the world would you possibly synthesize everything they came up with?

It was a bogus process, actually an irrelevant part of the process.

**Riley:** So you can have consultation without its being meaningful.

**Edelman:** It wasn't meaningful at all. All the way, Ira is sitting there with, I don't know what help he got, but certainly talking to the First Lady and some others, there were a few junior people who were on the White House staff on healthcare. But it was basically centralized there.

**Riley:** Did the people at HHS get to the point that they washed their hands of the effort?

**Edelman:** No, kept trying. I remember one time Donna came back and said to me, "I told Hillary that this thing is just headed for disaster, and she told me I was just jealous that I wasn't in charge and that was why I was complaining." It was very discouraging, but they kept trying.

**Berkowitz:** Let me talk a little more about the healthcare thing. You mentioned that the Hill people, who had been through this health insurance backwards and forwards by this time, over many years, were not in the loop of this and that was deliberate. So was the idea, as far as you can see, that you produce this thing in secret more or less and then you create momentum from the White House to the nation and then the Ways and Means Committee passes it because there's such momentum. Is that the theory?

**Edelman:** Yes. Now there's a bit of dispute, Ed, as I understand it, over whether the Hill was asked to participate or not. Some of the Clinton people say that the Hill told them to come up with their proposal and they would look at it. But I think that even if that's true, that's at a kind of a meta level of [Dan] Rostenkowski saying, "I don't have to sit with you." You still can talk to Hill staff and ex-Hill staff and get a feel for what will and what won't go. Down to that level of detail I really am not well enough informed to say, but evidently there was very little of that.

**Berkowitz:** It seems to me there are two exercises like this. One is the creation of the Social Security Act, 1935, which was done by the White House, and the other was the War on Poverty, which was also done by the White House and involved all sorts of interdepartmental kinds of—

**Edelman:** A lot of the Johnson stuff, Ed, for example the Elementary and Secondary Education Act of 1965 I'm sure was written in the executive branch.

**Berkowitz:** Right, so there was this precedent. But this suggests to me that these people come up with these ideas. The one that comes to mind is the negative income tax, à la the Family Assistance Plan in Nixon's time, which Senator Moynihan writing later said that actually a lot of people didn't understand the idea, it was too complicated an idea. Similar things, complaints, were raised about this Clinton thing, that people didn't understand. I went to a briefing with Bruce Vladeck where people pointed out that one section referred to such and such Section D and there was no such thing. There was this jerrybuilt thing, but I never quite got the idea of how these things were going to work, this basic health-purchasing plan.

**Edelman:** I think at the time I could have given you a B+ quality explanation of it. We were saying to each other at the time that there were just a handful of people who really understood it completely. Maybe two handfuls. Donna, Ira, Hillary, the President, two or three other people in HHS, maybe a couple of other staff people in the White House. But it was a very small group of



people who understood. The whole complexity of how much choice people would have, what's the difference between a big state and a small state? What's the situation if you live in one state and you work in another state? What do you do about large businesses? Do you let them have their own arrangements? What benefits are covered? What's the budgeting system, what if you run out of money? Do benefits get capped if you run out of money or are you willing to spend more money? There's an almost infinite set of questions about it.

Of course, the fundamental point about it is that it replaced the health coverage of everybody in America with this system. So it was enormously vulnerable to "Harry and Louise." Then what happens is that with this huge Rube Goldberg structure that practically no one can explain, and even those who can are going to put people to sleep explaining it because it's so complicated, Dick Celeste is engaged. This is all in the Johnson-Broder book. Dick Celeste, the former Governor of Ohio, is brought in to run a media campaign to sell it. They get into this huge bickering over who is going to pay for it, whether the DNC [Democratic National Committee] is going to pay for it, where the money is going to come from. He can't get clearance to get started and meanwhile Harry and Louise are on TV all by themselves. And people are screaming.

I would come home at night and my wife would say to me, "When are you people going to answer Harry and Louise?" I would say, "There's Dick Celeste and I don't know when that's going to happen." So everything that could happen to the thing that was kind of *wrong* happened along the way. In other words, it's bad enough in the original conception, but the execution was equally flawed.

**Berkowitz:** Why didn't someone stop it? Donna was just unable to say, "This is not going to fly."

**Edelman:** She said it, I don't know how often because clearly they were tired of hearing it. So when you say stop it, of course, that in and of itself is a question that includes a lot of different possible ways of saying, "Okay, let's compromise." When do you see the handwriting on the wall? We could probably get something like the federal employee system through, right? We could probably get through the idea that every American should have the same choice that every federal employee has. You can explain that, and that would be a hell of a lot better than where we were. You'd have to have the financing system that goes with that.

We could probably even get through Medicare for every American, that's pretty easy to explain too. I think they were just—as they say, denial is not just a river in Egypt. At some point they were so invested in it they couldn't see any more that they were on the way to a total train wreck.

**Riley:** Of course, the President had gone and waved a pen at one point and said there was going to be universal coverage or he was going to use his pen and veto it.

**Edelman:** Right, but my two examples to you are both universal coverage.

**Riley:** Okay. Did you see things in Mrs. Clinton here that you didn't expect? Ed's point about "why didn't you stop it," this is the First Lady's—

**Edelman:** Well, remember how she took the Hill by storm. She went up and spoke in complete sentences, like my law professor Ben Kaplan, complete paragraphs. She was astonishing. They got stuck on the fact that she was making such an enormous impression. Bill Kristol comes out at some point and he says publicly, writes an op-ed or something, this must be early '94. He says, "Republicans, we could beat this thing." Everybody laughed at him. Everybody said, "You're out of your mind, they've got so much momentum on this thing."

Then Harry and Louise—you know the way media stuff is, it's insidious. It's out there and it's having an effect. You're cracking and you don't know you're cracking until one day you just break. So that was eroding things. Although they certainly knew it was out there, witness my previous story.

**Berkowitz:** Interestingly, that was a Hill creation, that Harry and Louise. Representative [Willis D.] Gradison and [Charles N.] Chip Kahn, who had been a staffer—

**Edelman:** Ex-Hill, but people who knew the Hill is your point, exactly. That's HIAA [Health Insurance Association of America], and NFIB [National Federation of Independent Businesses], the small business lobby. Those are the two powerful lobbies operating against the thing. So I think Hillary and the President just didn't have enough awareness of the way the storm was gathering.

**Berkowitz:** Of course one lesson they did internalize, another of the Carter lessons, was don't overload the Congress, try to be clear about what your priorities are, and they were. Healthcare was going to be the number one domestic priority.

**Edelman:** Yes, that's why they didn't do welfare early and that was the right decision, not to do welfare at the same time. Healthcare was much more important than welfare, it concerned the whole country. This is very important, this is a trillion-dollar industry. It has enormous economic and political power. I don't know that anything was possible. I assume that they, for whatever reason, would have opposed these other options I suggest. Even though they're simpler to understand, that doesn't mean they're any more palatable to those who were opposed to universal coverage that has an effect on cutting small insurers out of business. Although the federal employee model doesn't, because it is a mixture of plans that involve private insurance.

**Berkowitz:** Medicare was having its own financial troubles.

**Edelman:** That's true. People would have said, "Medicare is not your model because it's actually teetering a little bit too." So I don't know whether in fact the fallback, which would be inconsistent with the veto pen, or indeed the original proposition, perhaps should have been essentially building in the middle area between Medicaid coverage and the current private coverage. In other words, building a duplex or triplex system that's much more incremental, which is what the Democratic presidential candidates now are basically proposing, but would have gotten us much closer to universal coverage.

All of this is Monday morning quarterbacking. The easiest part of the Monday morning quarterbacking is the part that says this proposal in and of itself was certainly too complicated to explain and possibly not workable.

**Riley:** It's your perception, even in terms of sequencing, that it was the right thing to do to proceed on healthcare reform before welfare reform?

**Edelman:** Yes, I believe that their sequencing was correct. Their planning and execution were deeply flawed.

**Berkowitz:** If you had played this issue as one of sangfroid, you'd notice that your health insurance premiums are rising, which everyone did, all the working people did who have health insurance coverage, that that was the way to go, what you're going to do is try to reduce their health insurance premiums. I never thought enough was made of that point. That's where the political leverage was on this if you wanted to mobilize people. What do you think of that idea?

**Edelman:** Possible. There was a lot of struggle over making it clear, getting a ruling from CBO [Congressional Budget Office] that what people paid out of their own pockets was not a tax so the cost of the whole thing would be kept off budget. I'm not directly answering your question when I say that, but I'm getting into the ballpark. Certainly among a number of things we could say I think it's possible that more emphasis on what we're talking about here is the question of what it is costing you now. In order to make that work you would have to quantify the administrative costs, the ways in which you're cutting red tape and unnecessary cost out of the system. Otherwise, you're creating an immediate trap for yourself. Because the answer to that is there's no magic here and if you're going to have people's premiums go down, that means they're going to pay out of their pocket in some indirect way, through the tax system and other ways for the same thing. Who are you kidding? So you'd have to take some care, but possibly that would have been—

**Berkowitz:** So you could say that the 35 million uninsured, or whatever it was in those days, you're actually paying for that. That's why your health insurance premium is going up in part now. That gives you a motive for trying to eliminate—

**Edelman:** Yes, but again, you've got to finish your sentence, finish your paragraph, get down to the bottom of how that all adds up in political terms because fundamentally you've just said what was *the* political problem here. The political problem was that it turned out that when Clinton campaigned on healthcare what people heard is, "He's going to do something to fix my healthcare system. I have a preexisting condition and I go to take another job and I can't get insurance. That's my problem and various other ways in which I get kicked out of the insurance system." That's what the vast majority of the American people were worried about. They didn't give a hoot about the 35 million uninsured. It was an uphill matter to convince them that they're already paying out of their own pockets and that it would actually be cheaper for them to get full insurance because logic and common sense says that's actually not fully true, that some of those 35 million people are going without care by not being insured and you might feel sorry for them, but that doesn't mean you're willing to pay to get them the care.

So the most basic lesson, when they turned around and they passed HIPAA [Health Insurance Portability and Accountability Act of 1996], about portability, that was bipartisan and totally not controversial.

**Riley:** And the ideas behind this had been floating around Capitol Hill for a long time.

**Edelman:** But there was a fundamental mistake all of us made, and I'm certainly part and parcel of that mistake, and Donna is. We thought that the American people were prepared for universal coverage, and it's not at all clear that that's true.

**Berkowitz:** Did you have any portfolio in terms of—there are a couple of important players, Rostenkowski, Moynihan on Finance, but also Edward Kennedy, who is Mr. Health Insurance by this point. Were you seen as an asset to talk to Senator Kennedy?

**Edelman:** No. My role in all of this is sitting in meetings to offer any judgment I have about what should be done about anything: different substance, who should talk to whom, whatever one might say in a strategy meeting, but not my job.

**Riley:** Let me ask you one question about that and then we'll go back to some of the things that were in fact your job. Do you recall any very significant disputes within HHS about the content of the program itself? In other words, the Secretary obviously communicates to the First Lady at some point that this is headed down the wrong track.

**Edelman:** I'm sure there were some. I think I didn't even at the time and—I'm sure Judy Feder is on your list of people that you will interview at some point, possibly Bruce Vladeck, although Judy is more the right person and possibly Ken Thorpe if you're going to go there.

**Riley:** They would be the people to ask about it.

**Edelman:** Oh, yes, and Donna herself of course.

**Riley:** If it's okay, Ed, anything else on healthcare—we'll come back to this—

**Edelman:** And Kevin Thurm, I think, who is absolutely brilliant, may have some recollection of all of that.

**Riley:** Let's go back to national service. You mentioned that yesterday as one of the items in your portfolio, and you just said today that to the extent you were involved in the government in the earliest months it was at the White House on national service. If you could tell us what your involvement was, what you were doing during that period of time. There was a book written and I can't remember the title—

**Edelman:** It was called *The Bill*.

**Riley:** That's it. From your perspective, is that an accurate portrayal of the process as you saw it?

**Edelman:** I didn't think it was very good. It seemed to me he missed a lot of what went on. I couldn't recall all the details for you.

**Riley:** Unfortunately, I haven't looked at it recently so I'm not very well positioned to probe. That's why if I could get you to just tell us generally what you were up to and what kind of issues you were working on then that would prompt us to ask some probes.

**Edelman:** The first thing is, there was this group I mentioned yesterday that worked before the election and between the election and the inauguration that met at Latham & Watkins where Richard Danzig was a partner. I don't remember who was in it. I'm pretty sure Shirley Sagawa was in it who became, ultimately, the number two person in the Corporation for National Service. I think Eli was down in Little Rock, but I remember Bruce Reed being on the phone once from the campaign bus.

Anyway, we got fairly far along with a proposal and handed that to Eli when he was given the portfolio. In very general terms, I think it was somewhat helpful. Eli is given the portfolio. He's given a man called Rick Allen who is out of Los Angeles. He was called the deputy but he turned out to be not particularly substantive, so he was just kind of there, although he was sort of an operator so you did have to watch what he was doing. Shirley Sagawa was in it, and I think she was actually on the First Lady's staff at the time. A woman named Susan Stroud. There were two Robert Gordons. There was the young Robert Gordon who was a Harvard dropout who is absolutely brilliant, and there was a Robert Gordon who was an Army captain who had been detailed to us, an African-American man. A young woman named Kate Frucher who was actually the daughter of a family friend and had been in the campaign, a very bright young woman who at the time was in her early 20s. I imagine I'm missing one or two people.

So we began to meet regularly and we began to conceptualize and try out ideas with various constituency groups. Try them out on the Hill, try them out with other people on the White House staff so we would feel like what we were coming up with was going to be salable.

**Riley:** You're meeting in the White House you say—

**Edelman:** We're meeting in the Old Executive Office Building. We're meeting in a lovely corner office on the second floor on the corner of 17<sup>th</sup> and Pennsylvania. A lot of sunlight, beautiful setting, high ceilings. One issue essentially relates to how much money you can afford to put into this, and another is what they get for two years of service.

**Riley:** Were you given a budget figure to work with?

**Edelman:** I don't remember that we had a number. I think we were probably much more in a mode of trying that out, seeing what the OMB people would say about it, than we were with the "you can't go over this" kind of number. Of course, that had to do with how much you can say with a straight face pays for a four-year college education if you do two years of service. What we essentially came down to was that the number would be the equivalent of the current tuition at a four-year state public institution. In other words, if I remember the numbers right, it would be \$5,000. I think we were saying the average tuition at that time was \$1,250, could that be

right? It was either \$5,000 or \$10,000. I think it was \$5,000 approximately. It ended up being less than \$5,000 because it turned out the number we had was higher than the veterans' number. We had to be lower than the veterans' number. Whatever that was we had to be \$100 or something lower than the veterans' number because we couldn't be more generous than the veterans.

**Riley:** Were you getting direct heat from the veterans' organizations or from the Hill or—

**Edelman:** No, that was something we discovered two-thirds of the way down the road.

**Berkowitz:** It seems reasonable.

**Edelman:** Yes, it's a good point, but it was something we discovered because we were doing our politics and holding these conversations. The related question was how many slots—that was less important because it was clear that it was not going to be a universal program and if anybody wanted to accuse him of breaking his promise in that regard he would just have to say, "Well, obviously I never meant that." How many slots was the key number for how much money you could get into the program. Who qualified? What age groups?

It started out with a young age band and gradually it became clear that that was inappropriate and it really ought to be people of any age. Who qualified in terms of what level of education, and then you'd say, what difference does the level of education make? And then the question was, if they have education, as a professional, can't they use it? Couldn't we have a lawyers' corps or a medical corps or whatever it happens to be with this money? It's ridiculous to say, if you have a professional degree, if you want to come do this, you have to lay bricks or be a tutor. We argued that all out and that was surprisingly difficult.

One of the things I personally get credit for is busting that one so that it became possible for there to be a lawyer corps, and there is a lawyer corps. Some grants go out to send lawyers out to be in AmeriCorps and use their law degree. But we argued about that. It was not obvious to everybody.

What activities were contemplated? There was a lot of talk and some of it related to whether we would countenance any advocacy or organizing or whether it all had to be direct service of one kind or another. Were we somehow going to categorize the activities into clusters that would be more politically attractive: something that relates to education, something that relates to children, something that relates to the elderly, something that relates to the environment. Those sorts of things. So that it would be more politically salable because we would have these visible categories of service.

This became my bailiwick. Would we create some kind of a multiplier by getting other government agencies to participate and to take some of their program money and use it to get volunteer corps in their particular areas? Get the Interior Department to put money into, as they actually had been for some years, so that's an easy example we would be expanding, to do work in the national parks.

I went around and met with almost every member of the Cabinet or, in a couple of cases somebody at the sub-Cabinet level, to sell the idea, to promote the idea that they would buy into this and do some of it themselves.

**Riley:** Were they relatively receptive?

**Edelman:** Some more than others. Everybody was verbally receptive. I think some took it to heart more than others. In HHS, for example, we actually did start, partly because I was dealing with myself, but—

**Riley:** You negotiate with yourself all the time.

**Edelman:** In other words, I was there for the second and third day as well. But HRSA, the Health Resources and Services Administration, which has the community health centers under it, actually developed a corps and put it out there.

**Riley:** Was there a sense as you're going around meeting with these Cabinet officials that you are speaking on behalf of a program that clearly has presidential momentum behind it?

**Edelman:** Oh, sure, that's why these Cabinet officers are seeing me.

**Riley:** The mere fact that the doors were open was a signal that they were—

**Edelman:** Yes.

**Berkowitz:** What's the point, the point is that this is volunteers? What's the difference between having HRSA have its own?

**Edelman:** There were two things. That's a good clarifying point. One is that the agency should promote their own people being volunteers, even just a day a year—that was the smaller point. The bigger point was that they should find money and create AmeriCorps-like programs out of money they had that would be not federal employees, just citizens.

**Berkowitz:** And VISTA doesn't exist anymore?

**Edelman:** VISTA does exist. VISTA was folded into the Corporation for National Service, and one of the questions we had was what to do with VISTA. There was one argument that said get rid of it entirely, just fold it into AmeriCorps. VISTA had a moderately vocal lobby that said, "We love VISTA, keep it." So we kept it. We actually expanded it a little bit. So VISTA still exists and it's like a little sister program to AmeriCorps.

**Berkowitz:** Say I'm a college senior, and I'm thinking I'd like to do something for my country. This program allows me to do what, in essence?

**Edelman:** That was a whole other complicated set of issues. Where do you apply? Do you apply only to Washington? Can you apply to your state government? How much of the money goes out

through a formula through the states and then they decide what they're going to do with it according to the categories you've laid out, and how much of it is that a nonprofit organization comes to Washington and makes an application? So Teach for America, for example, the way we ended up with a balance on that, could come to Washington and get a big chunk of money and that was the major financing for the continuation of Teach for America.

The little lawyers' corps was created with money given to them out of Washington. But about half the money—and that got upped when the Republicans took over Congress—went out through the states on a formula basis, and they decided what to do with it. So it was a little confusing and that had to be straightened out. The college graduate, let's say—but it could be anybody, I think it was 18 and over—comes along and wants to apply to AmeriCorps. My recollection is that you could apply nationally, you could apply to the state, or you could apply to a program that had AmeriCorps slots. There was a web site where you could learn all of that. Part of that was a question of were you going to work in your own community or were you going to go to another part of the country.

If you were going to work in your own community it was relatively easy to find who in your community had AmeriCorps programs. The difference between AmeriCorps and VISTA was that in AmeriCorps you worked in a group and in VISTA you worked as an individual. That was the conceptual programmatic difference we kept by preserving VISTA. So an agency might get itself one VISTA slot or it might get itself an AmeriCorps mini corps. People who wanted to find their way into the program did have to figure out how to navigate all of that. It's probably still complicated. But I think nowadays with web sites it's far less complicated.

As an AmeriCorps member you could be working in a childcare center, in a school, in a conservation thing, with the elderly, with the disabled in some way, with retarded children or other disabled people, a long list of possible things.

**Berkowitz:** And you would get some kind of wage?

**Edelman:** You get minimum wage while you're doing it, and you get this educational stipend at the end that I'm thinking now is actually \$5,000 for each year you serve, not \$5,000 total.

**Riley:** I think that's right, for two years. Is that right?

**Edelman:** I think it's \$10,000.

**Berkowitz:** And the implicit idea is that FDR had the Civilian Conservation Corps, President Kennedy had the Peace Corps, President Clinton has AmeriCorps.

**Edelman:** Yes, that's one way to say it. Another way to say it is that there had been developing a mini-movement for national and community service, through the Carter, Reagan, and Bush periods. There were people who agitated about it. Harris Wofford had been involved in that, I'd been a tiny bit involved in that. There's a little literature about it. I have a chapter in a book that came out in the '80s about national service. My chapter was about not ignoring the poor people, both in terms of what you do with the service and who gets to serve. That was another thing. We



did work very hard to recruit in low income communities, to get low income people to be AmeriCorps participants.

During the first Bush, there was created a commission, it was called Commission on National Service, which had a little bit of money, maybe \$100 million to put into service. That was regarded as a big breakthrough in this mini movement. So Clinton was actually building on that. Indeed, there were people who had worked for that commission who came around and said, “You are going to let us work for you, aren’t you?” We had to decide whether to let in these people who were Bush people. A woman named Catherine Milton, who is a good friend of mine, now out in Portland, Oregon, ran the domestic programs of Save the Children for a while. She was the director of that Commission on National Service. We engaged in a fair amount of debate about whether to let her in or not. We did finally, because we’re nice.

So there was continuity to it through the first Bush, who was quite in favor of it. One of the other issues is what do we do with a Thousand Points of Light. They had an actual organization that went with that phrase, and they came around and said, “You know, we’re great, we’re bipartisan.” Our idea was, the hell you are. This is Mr. Bush’s signature thing and it’s exactly what we always said is what’s wrong. That you could solve things with a thousand points of light and not with a serious investment in public policy and public resources. On the other hand, we wanted Republican votes for the proposal. So we figured out a way to include them in what we were doing and get them on board. It was a fairly complicated process.

**Riley:** You just said that one of the key differences was this question of investment. My recollection is that the Bush model was one that relied completely or almost entirely on unpaid volunteerism.

**Edelman:** Mostly, although they had a K-12 program where certain people were paid. There was money available to school systems to get a little bit of staff to encourage schoolchildren to volunteer. They had a little money for some programmatic elements, but the overall feel of it was closer to pure volunteerism.

**Riley:** And one of the hurdles or obstacles you had to overcome on the Hill was that—

**Edelman:** Paying people to be volunteers.

**Riley:** How did you square that circle?

**Edelman:** Just by convincing enough people that, in terms of getting continuity and full-time involvement and somebody who would make the commitment of a year or two, that they had to have subsistence. You didn’t have to think about it as pay, they were hardly going to get rich off it. This is just a different form of volunteering, and they were going to make an important contribution. It would be a win-win. It would clearly be good for them in their development as citizens and people, and there would be a tangible outcome to their work. That was worth putting money into.

**Riley:** The value added would be much in excess of the small investment.

**Edelman:** Yes. Another issue we faced was how much to emphasize part-time programs for people who were in post-secondary education and how much more of an effort should we make about K-12. The list of policy issues, every question you ask me reminds me of another one.

**Riley:** That's very typical of what we're doing. Did you have any friction with the Peace Corps?

**Edelman:** Not that I recall. There was the question, as I said, of the future of that commission and the future of VISTA and some friction with things like Foster Grandparents, where there were existing programs domestically that overlapped, but not Peace Corps. I don't remember any friction.

**Riley:** Was there any conscious effort to look back at the Kennedy experience in creating the Peace Corps to extract lessons that would be useful for your work in this case?

**Edelman:** No, not the Peace Corps. There was some look at the history of VISTA and asking the question of why VISTA had never gotten bigger than 3,300 slots, which I think had been the maximum. Peace Corps was at about 20,000, as I remember, in 1993. So the question was, why is Peace Corps at 20,000 and VISTA only at 3,300? Is there a difference that should teach us something?

**Riley:** Briefly, what was the answer to the question?

**Edelman:** I would give you a very simplistic answer now. I think just that Peace Corps had a more intrinsic salability of working internationally in underdeveloped nations.

**Riley:** Was there a Cold War dimension to it?

**Edelman:** Some, perhaps.

**Riley:** Two other questions on this and then, Ed, if you've got any follow-ups. The first is about Eli Segal's role in this. What were his strong suits? What commended him to doing this as you saw it? The second question relates to your key points of contact on the Hill. Who was particularly useful to you and whom did you find to be particularly difficult to deal with?

**Edelman:** Eli was perfectly suited for this. He didn't know anything in particular about the subject, but he's an entrepreneur, he's a start-up guy. That's exactly what he's good at. It was perfect casting. I think he felt the President was underutilizing him by putting him in this position relative to the amount of work he had done in the campaign. If he did feel that way he never said it. He's a very decent person and he's very loyal to Bill Clinton. He is as deeply loyal to Bill Clinton as anybody I know. This has meant over the years that there have been times when he hasn't been treated very well, and where I certainly would have taken offense he *has* taken offense but remained no less loyal.

**Riley:** Do you know why he wouldn't have been put in a White House position of some greater consequence?

**Edelman:** *He* doesn't know.

**Riley:** But as an outsider, you may have detected, picked up character traits or—

**Edelman:** No, I've talked to him about it and he doesn't know. In any case, it was great. It was probably as good a thing, because we started this wonderful program from scratch. I think one answer to your earlier question about Peace Corps versus VISTA is the word "corps." The notion of people working in groups and teams has a certain kind of multiplier effect that people working individually does not have. That's not rocket science, but I think that it is a bit of a lesson from Peace Corps. So Eli was really the perfect choice. He's wonderful with people, he's energetic, he has excellent judgment, he sees problems looming ahead of everybody else, so he's wonderful to work with, and he did a great job. Very respectful of our group of people working there. It was just a wonderful team, just a couple of handfuls of people with a couple of young people. There was another young man from New Hampshire whose father is now married to Deb Jospin, who was later the head of AmeriCorps. Chris Gallagher.

On the Hill I don't remember who all the players were. I actually was the testifier at the beginning because of the rule that White House people aren't allowed to testify. So I was the only one associated with the effort who was on the payroll of an agency. For the first couple of months they sent me up to do all the testifying. But Eli and Shirley really did all the negotiating.

There's a man named Gene Sofer who was Billy Ford's staffer in the House on the Education and Labor Committee. I don't know if he came forward or what, but he was enormously helpful and he's still deeply interested in these things. In fact he makes a living out of being a consultant to people who do the service and conservation corps. There's a partnership right now of the corps in something called YouthBuild and the Job Corps people, to get a larger infusion of money into all of that. So Gene has stayed with that and made a huge difference. Chris Shays of Connecticut was very friendly to the program and helped get enough Republican support in the House. Ted Kennedy was a great friend of the program all the way through.

**Riley:** Why don't we take a two-minute break?

[BREAK]

**Riley:** Forgive me but I can't remember where we were.

**Edelman:** We were talking about national service and the question of who the people were on the Hill. I think I was about done with that. I was going to say there were some people who were implacably opposed and the name that comes to mind is a Congressman, Peter Hoekstra, I think he is from Michigan. I think he's gotten more supportive in the last year or two, but he was a real problem then. But when the Republicans took over Congress in '95, it was touch-and-go all the time. Eli left and they brought in Harris Wofford, and I think it was helpful to have Harris because he knew people, had been a Senator.

**Berkowitz:** Had Peace Corps experience too.

**Edelman:** For these purposes, more importantly, he had some credibility on the Hill and probably was better at that point than Eli. Rick Santorum was always a negative force. There are others I'm sure.

**Berkowitz:** How did the civil rights community perceive this issue? Did they feel it takes jobs away from people by volunteerizing them, or did they feel it was a source of employment and improvement or something else?

**Edelman:** You could ask the same question about unions. I think it's always been at a level that's so modest it just doesn't raise those questions. They've also, I think, taken great care to make sure that there is significant racial diversity in the program, which makes a major difference in terms of the civil rights community, in terms of the Latino community. One of the worries I always had historically—what I wrote in that piece that was in that book—is that it would be a white middle-class program, both in composition and in attitude. All of us were very committed to making sure it was fully diverse economically and racially and ethnically. I think that helped, in terms of any threat of taking something away from somebody. The other way in which that could arise is if you were talking about a program that was big enough in resource terms to threaten other, more essential, social programs.

I went to South Africa in 1997 to advise the South African government on creating a national youth service program, and these questions, especially the last one I raised, were very much on their minds. For them it was a luxury to think about that when they had so many pressing needs, 60 percent poverty in the country, things like that. It was a hard sell to say, "No, having this is part of the solution, not part of the problem," which is essentially what I tried to say to them. But at the level and scope at which we do it in the United States, none of these things have been issues.

**Riley:** I'm looking at some of the other items you included on your portfolio. I should ask if there's anything else on national service that you'd like to talk about.

**Edelman:** No. I gradually moved away from it as I got more fully immersed in HHS. It got to the point where sometimes they would call and ask me to come to a meeting or especially continue that interagency work that had been my unique portfolio and I would say, "Well, gosh, I have an awful lot on my plate."

**Riley:** What would you say was the next big thing on your agenda after you started moving out of national service? The few things I have listed from yesterday include being the point person on substance abuse issues—

**Edelman:** That was continuing all the time. I was always spending about 30 percent of my time on that. During budget season I was always the advocate in the Secretary's office for putting more money in, especially for drug treatment. That was part and parcel of what turned out to be an administration position, maybe a little bit by default, because the administration was not

terribly interested in these issues, of actually reaching the best ratio of treatment and prevention to law enforcement that we'd had as a country since we'd started the so-called drug war.

We got the numbers closer to 50/50 than they'd ever been. I did lots of speaking. I went to all of the conventions of NASADAD, National Association of State Alcohol and Drug Abuse Directors, and all of the other organizations and the methadone organization and so on. I visited a lot of treatment programs. There was a continuing issue about redefining a certain provision of Medicaid so that more Medicaid money could be used for treatment. It had to do with the definition of the size of the facility where payment for residential treatment would be allowed. Anyway, there was a constant stream of issues about drug and alcohol.

**Riley:** Which became something of a political issue because there had been a pledge made early on that they were going to cut the White House staff and, as I recall, a fairly large block of that came out of the Office of Drug Control Policy or something like that.

**Edelman:** There was a certain amount, but that didn't affect us so much. Lee Brown, who was the former police chief in New York and subsequently mayor of Houston, was the so-called drug czar and he had a more skeletal staff than his predecessor had had. So the Republicans said that Clinton didn't care about drugs because he'd cut the staff of this organization. Substantively it didn't matter. It was not an organization that really did anything. So if it had, half of zero was still zero.

**Riley:** But that's who you were dealing with on most of these substance abuse issues?

**Edelman:** Yes, and to some extent the budget examiners. Outside the department but inside the government, ONDCP. I was constantly going to meetings there and taking calls. We would have input into the annual drug control plan for the country and then they would constantly call and say, "It said in our plan that you were going to have X amount for treatment, and you don't have X amount for treatment." I would try to use that as leverage to get more for treatment.

Charlie Rangel had a very ambivalent attitude. He would summon me up there and I would spend hours and hours talking to him and his staff about it, essentially more or less temporizing with him because he couldn't figure out—I think he was literally ambivalent about what to do about drug issues.

**Berkowitz:** Was that a New York issue for him or was it a Ways and Means issue for him or both?

**Edelman:** It wasn't really a Ways and Means issue, it was the block grant, which is not in the Ways and Means jurisdiction.

**Berkowitz:** Nor is Medicaid in the House either.

**Edelman:** Right, Medicaid is a Commerce issue in the House. No, I think it is more of a New York issue.

**Berkowitz:** So he's speaking to you as the representative from Harlem.

**Edelman:** I should say. But he would badger me over and over and over again about, "Does treatment work, and why are we spending all this money?" And then in the next breath he would ask why we weren't spending more money. One time we concocted a set of hearings. I was supposed to be the lead witness at the beginning of the day and then there would be a whole bunch of other witnesses, and I was supposed to listen to them. Then he was going to ask me questions at the end of the day about what I thought about what all these people had said. It was supposed to go from 10 to 2, and I had a White House meeting about something that seemed important at the time at, say, 3 or 4. He started late and he took a long lunch, and I was left just sitting around by myself. It was before the days when I had a cell phone where I could be making calls. I was just wasting time. I couldn't go back to the office because I didn't know when he was going to show up again.

Finally, in the afternoon, he did reconvene but he was far from getting to me and I had this White House meeting. Of course, I should have bagged the White House meeting, but I wrote a note to him and said I had to go to a White House meeting. He was really furious. Donna said to me the next day, "Don't do that again." He called her immediately and said, "Your guy doesn't get it." So I did spend a fair amount of time on drug and alcohol.

**Berkowitz:** Can I ask if you talked to Kurt Schmoke?

**Edelman:** I talked to Kurt Schmoke about a lot of things, not much about drug policy. I was very much involved, because of the empowerment zone program, in some Baltimore stuff. I went to represent the department at the opening of I think it was a program for fathers. Anyway, I saw Kurt about a lot of different things. I talked a little to his health commissioner, Peter Beilenson, but we had a different view about drug policy. There was no point in talking about it.

**Berkowitz:** He was identified as a legalizer. You didn't have that view?

**Edelman:** No. You don't have that view if you work for the federal government. It doesn't matter what your personal view is. I'm actually not a legalizer, but I am a decriminalizer when it comes to marijuana. But the official position is that marijuana is a gateway drug. I got into a public debate with somebody. I was speaking at the NASADAD convention one year in San Diego and they said, "Why aren't you in favor of decriminalizing marijuana?" I said, "I'm in favor of a public health approach to drugs. They're handled too much in the courts, we have too much emphasis on the law enforcement side, people who are addicts should get treatment," etc., etc. I had an answer that was an appropriate official answer that was also liberal but involved no decriminalizing and no legalizing. So there was no point in talking to Kurt about that.

**Riley:** I'm trying to get a sense of contrast with the President's interest in this. It was clear on national service this was something he had staked a position on and invested some of his own personal energies in. The impression that I get on the drug issue is that it was not very high on his list of priorities.

**Berkowitz:** Remember his brother was incarcerated for drug use.

**Edelman:** I'm aware of that. There's a man named Jim Burke who had been the CEO of Johnson & Johnson. He's probably a Republican, very nice man, very deeply interested in drug policy and very treatment oriented, not a locker-upper. This is a very well-connected man. He was very deeply disturbed that the President seemed to take no interest. So I arranged for him to see Hillary and the two of us went together to see her.

**Riley:** Do you remember roughly what time frame this is? I'm just curious in relation to healthcare.

**Edelman:** Probably 1994, while the Democrats were still in control of the Congress, so spring of 1994 would be a good guess. I think he actually said to her, "Maybe the President isn't interested in this because of his brother," which was not smart. In any case, she blew up, didn't challenge him for having said that, but she went through this diatribe about how the President's staff never did anything he wanted them to do, and it was all about how ill-served the President was by people around him, and never answered the question. But the implication was that he'd be doing more about this if he could get anybody to do what he wanted them to do.

This man was totally shocked. It was one of these things where even after we left he couldn't bring himself to say, "What was that all about?" He had difficulty even starting a conversation about what had just happened.

**Riley:** You had indicated earlier that because there was a widespread understanding that national service was a presidential issue it opened doors for you to do various things.

**Edelman:** Yes.

**Riley:** Is it the case that the sledding was much more difficult for you on the drug issue because there was not this widespread perception or understanding that the President thought this was important?

**Edelman:** It was just much more routine. I would go either on my own or more typically when Jerry Klepner, our Assistant Secretary for Legislation, encountered a question on the Hill, I would go to the Hill and meet with various people, aside from my adventures with Rangel, which were more idiosyncratic. It was about getting the continuing funding for the block grant—after '95 not having it cut, before '95 trying to increase it. That was the main item in play, the block grant. Even before the Republicans took over, Congress amended SSI, Supplemental Security Insurance, to essentially define alcoholism and drug abuse out as a basis for a finding of disability, because there had been a lot of publicity about it. There had been an NBC exposé—*Dateline NBC*, whatever the name of it is. A hidden camera had showed people getting their checks and immediately going to the liquor store to cash them and drink up the check or go buy—

**Berkowitz:** What year was that change in SSI?

**Edelman:** I think that it was '94.

**Berkowitz:** Because it's going to come up again, that same story this year.

**Edelman:** Well, they changed it. Maybe they have a newer, tougher version that they're going to do. There was a packed hearing room. I did not testify. We had people from SAMHSA [Substance Abuse and Mental Health Services Administration] testify. Still, I would cover things like that. It's certainly true that the White House took no interest one way or the other in that. They were just going to let it—we could say anything we wanted from HHS, they weren't stopping us, but it was just at a level of a departmental relationship with the Hill.

**Riley:** Since you raised the issue about the President being well served by his staff, I want to ask you about your perceptions of the White House staff. Whom did you work most closely with, and how did you evaluate the people you were working with over there? Did you feel the President had good people in most of those positions, or were they not well matched to their natural talents?

**Edelman:** I worked with various people on various things, and on the whole I thought it was an impressive group of people. Occasionally with Carol Rasco on various things, Bruce Reed, Rahm Emanuel on the crime bill, Abner Mikva on funding for legal services, which I was involved in totally without portfolio, didn't have anything to do with HHS. There's a story there that I'll tell in a minute. I worked with people in OMB, our budget examiners and the more senior people on a variety of issues that related to HHS. I worked with Ken Schwartz on substance abuse issues. He was very good, a career person. With Alice Rivlin on many different things, particularly on D.C. issues. There's a long list of people I worked with. Occasionally with Harold Ickes on something or other that had a more political—

Rahm Emanuel was somebody who troubled me quite a lot. He was quite determinedly non-substantive, came at things in a purely political way, and he was a bully. You would get telephone calls or participate in a conference call where he would just scream about something that had to be a certain way and he wouldn't listen to anything. He was pretty unprofessional, so he was my least favorite person.

When he ran for Congress the first time in the primary against a former state senator in Rostenkowski's old district, I ran into Abner Mikva somewhere and he said, "My former student is running for Congress and we've got to give her money. She's running against Rahm Emanuel." "Okay, Ab, that will be fine, get me the information, I'll send a check." So I did. She called me and explained why she had a very substantial chance of beating him, why my money was not going to be wasted, so I gave her a second check.

Then Chris Edley called me up and said he and Maria Echaveste were holding a fundraiser for this woman and they were going to get everybody together who knew what was what and we were all going to give money to defeat Rahm Emanuel. So I gave a third check. I think I put my money where my mouth was in terms of Rahm Emanuel.

I also didn't like Bruce Reed but that's completely different. He's a lovely man. It's totally not on a personal level, it's only substantive. He's more conservative than I am, but I respect him as



a human being. One can talk to him and have a discussion and so on, but he was a conservative influence in the White House. But in terms of people one disagreed with, those were the only two who were in a significantly different place from where I and where HHS were.

At my level I mostly worked with counterparts. Because of the personal history with a lot of those people—I knew Leon Panetta for years, I knew Alice Rivlin for years, and so on and so on—I had a number of relationships there that were at a different level from the protocol level above what my position was and so ended up working with people on that account.

**Riley:** There are a lot of stories about disarray and disorganization in the White House staff for the first year or so. Did you experience that from your position at HHS?

**Edelman:** Not too much. That's not to say that those stories are incorrect. I'm not there full time until May, so the early disorganization around the budget reconciliation and some of the key stuff, I just wasn't there. I'm in and out of the White House, but I'm doing only national service and it's in between teaching. By the time I come, my first involvement in HHS is drug and alcohol policy, it's the violence stuff, which I do largely, at that point in time, away from the White House. That's inter-agency, the White House is barely represented in that. They're just kept abreast of what we're doing.

Starting in the fall of '93, it's empowerment zones and enterprise communities, but that's a very specific group of people. That's two women, one on the Economic Policy Council, one in Vice President Gore's office, Sheryll Cashin and Kumiki Gibson, with whom I'd gotten to be very close. I helped get Sheryll on the Georgetown Law School faculty. She's a colleague of mine now, Kumiki is now general counsel to Johns Hopkins, but they were just idiosyncratic, that wasn't dealing with the White House institutionally.

**Riley:** It's not at all uncommon for there to be tensions between the departments and staff over policy issues.

**Edelman:** Yes.

**Riley:** I guess I was more curious about whether—

**Edelman:** I didn't mention Gene Sperling, I would deal with Gene from time to time. I never dealt with Bob Rubin when he was the head of the National Economic Council. I would have to say I saw first hand that Carol Rasco was not up to the job. She was very pleasant and so on, but you'd go to meetings and they'd be sort of indecisive. You didn't have a sense that there was momentum or definition to things she was shepherding.

**Riley:** You mentioned a couple of times that another part of your portfolio was the violence aspect, which is something you also were picking up on. Can you tell us a bit about your work in that area?

**Edelman:** I had come up with this idea, along with Phil Heymann, that we had so much killing among young people and especially African-American young people. There were public health

statistics. Mark Rosenberg, whom I had gotten to know, was the head of the Center on Injury Control and Prevention at the Centers for Disease Control. He had developed charts that showed homicide rates by age and race. It was very dramatic because all of the others were on one 8.5x11 page and you had to go two or three pages out in order to show the 16- to 24-year-old African-American male rate. It was so spectacularly higher than any other age and race group in the population.

So the developing politics was about crime, but there was this undercurrent of people in the administration who were more interested in violence. I have to say I had never been particularly sensitive to or knowledgeable about the question of violence against women, so that was new to me. But what we designed, with the patronage of Secretary Shalala and Attorney General Reno and joined by the Deputy Secretary of Education, Madeleine Kunin, was a set of intragovernmental task forces, interdepartmental task forces on six or eight areas of violence. We met probably half a dozen times over a six-month period, all of us, and then kept tabs on the subgroups and got their reports in and edited them and pushed back on some of the questions.

It had a significant law enforcement aspect to it. Phil's group came up with a proposal for a special unit in the Justice Department to prosecute gang violence wherever there was any kind of federal crime element to it. So some parts of it were about putting people in jail. I thought it was balanced. Obviously, the White House thought it was not. In any case, "crime" was a better word from their political point of view. When we finished with it, as I mentioned yesterday, along the way there was an article in *Business Week*. They found out about it and wrote a very complimentary article about the suppression of the "report you'll never see." But that had the effect of creating some inter-agency relationships, conversations, connectedness, continuing work together that hadn't been there before, and that was good.

The main effect it had was introducing a prevention element into the crime bill politics, within the administration, which heated up in 1994. So it was interesting in and of itself, but the real result in any specific way came out through the crime bill.

**Germany:** Did Lloyd Cutler have any involvement in this, considering what he had done with the Johnson administration in the '60s and his work on creating a crime report, a violence report?

**Edelman:** I don't think so. There was almost no White House involvement in these task forces. Carol Rasco and Bruce Reed were aware that we were doing it. It was below their radar screen in terms of paying much attention to it. I think when we got done with it and submitted the report, and particularly probably when Rahm Emanuel found out about it and they actually focused on it, what they said was not that it's dangerous, it's just not helpful.

The one thing where the synapses did connect was—I was sent by Donna, along with representatives of a whole bunch of relevant departments, to a meeting about the crime bill. This must have been sometime in either late '93 or early '94, and we were just finished with the task force work. So I went to this meeting, and they're all talking about the different sentencing and other aspects of the straight criminal justice policy in this bill. I said, "Look, if you don't have any prevention stuff in this bill, when it gets to the House you're going to get whumped. The Black Caucus is going to come after you, saying that you have a straight 'lock more people up'

thing, and it's going to be an intraparty politics that you won't like. You need to have some prevention aspects in this bill."

I have to say they only half listened. It was kind of, "You're a nice fellow, thank you for your views." They didn't really *do* anything about it. Well, as the bill went through the Senate, Biden attached the Violence against Women Act and Bradley attached the Community Schools and somebody else, I don't remember who it was and I may even be thinking about a House Democrat, I think it was [John] Conyers in the House, a very significant block grant in it for prevention activities. It was all authorization so it's all funny money, it doesn't mean that a nickel is ever going to get appropriated.

What happened then was when my prediction proved to be true in the House, the administration got very interested in all these things I'd been telling them about. So I was, in a weird way, a welcome person at the table even though my perspective was about 180 degrees different from what everybody else at the table was up to. We spent a lot of time figuring out how to publicize, accentuate, have talking points about these prevention items as the bill went through the House. It isn't that the things I cared about that happened to be in there got enacted because of anything I or we did. It's much more that perhaps the whole bill got enacted in the end because it had prevention aspects in it, and frankly that might not have been a good thing.

I remember Maggie Williams called my wife and asked her to make some calls to the Black Caucus during the summer of 1994 to try to keep them on board to emphasize the prevention aspects of the bill. We were very ambivalent about it because we knew that there was no assurance that the prevention stuff would be funded anyway, and the sentencing stuff was going to be real. It's not something I'm actually very proud of.

**Berkowitz:** How did you know the prevention stuff actually worked?

**Edelman:** If you talk about "actually work" in relation to most social programs, the evaluation literature is quite thin. The generic answer to most programs designed to do something to help people is that you don't know that it works, you have a kind of a common sense view that it would.

In relation to the Community Schools, there was actually quite a long list of examples of programs where there were partnerships between a school, or a school system, but maybe a particular school and a nonprofit organization where the nonprofit organization was allowed to use the school during off-school hours. There was a fiscal efficiency in that since the building was otherwise sitting idle, and there was a logic that said it would enrich kids' lives. There's the oft-repeated statement that the most violent hours are between 3 and 6, and the most babies are produced between 3 and 6, all this stuff that people say over and over again, which I have no idea whether it's true or not. I guess there was some statistical basis for it that caused somebody to say it. Therefore if we can keep young people constructively occupied between 3 and 6 it will be a good thing.

Specifically there were the Beacon Schools in New York City, there was the Community Service Society, the Carrera Model in New York City, there was the Omega Boys and Girls Clubs in San

Francisco. There were a number of examples that made a very good argument for the Community Schools Program.

The Violence against Women Act had been hanging around for years. Biden had introduced it repeatedly. It never had gone anywhere and it was a multi-titled bill, it was a whole bunch of different things. Some of it was a cause of action, a federal, private civil cause of action for women to be able to sue abusers, and that's been held unconstitutional in a case called *Morrison v. Virginia*, I think. But it had some funding in it for various kinds of things, for example, a hotline was created with federal money. People could call an 800 number from all over the United States. It was my responsibility to implement that hotline provision, very low-cost thing, \$2 million, \$4 million a year, something like that. But how it would be designed was quite important because it was an issue of whether you could get from the 800 number to a local person who in turn would be able to get you a referral, as opposed to just leaving your name and number when you called the hotline.

**Berkowitz:** The local person would probably be like the House of Ruth in Baltimore, a private entity, wouldn't it?

**Edelman:** Generally speaking it would.

**Berkowitz:** That's a complicated—

**Edelman:** But it's complicated because you want the local person to be somebody trustworthy and reliable, that's correct. So the actual implementation on that took a great deal of care, and I'm proud of the way we did that. So that's an answer to your question that gives you some of the aspects.

**Berkowitz:** One quick follow-up on this side of liberalism, which is what this gets to, one's faith in the government. So when you say that we know this worked, there was such-and-such a program in Manhattan and such-and-such a program in San Francisco, do you ever worry about the fact that that program in San Francisco worked because Madam X was there and the program in New York worked because—

**Edelman:** Sure, of course you do.

**Berkowitz:** Because so-and-so was there.

**Edelman:** Of course you do. If you look at the evaluations of anything, the Boys and Girls Club have an evaluation of mentoring. The most famous evaluation in this general area of social policy is the Perry Preschool Study with regard to Head Start, which was the study of programs for little kids in some town in Michigan, which wasn't even Head Start. It was a precursor to Head Start, and any student who takes a master's in public policy learns about the Perry Preschool Study and the irony in that because it has been cited thousands and thousands of times as the reason Head Start works. Well, excuse me, who's running the actual Head Start program, etc.?

I'm in the middle of coauthoring a book about disconnected young men right now with Harry Holzer, the former chief economist in the U.S. Labor Department under Clinton. And our coauthor, I'm sad to say, Paul Offner, who was Moynihan's welfare person, just passed away about three weeks ago. Got cancer and died very quickly. We spent a huge amount of time on just this question. How do we be clear about how much evaluation data there is about any particular thing we're talking about and even about something that has been studied, what the replication issues are. There was something called QOP, the Quantum Opportunity Program, which was a kind of a wall-to-wall mentoring program with work experience for 9<sup>th</sup> through 12<sup>th</sup> graders that was implemented and studied at five sites and it worked. And then the government took and implemented it in dozens more sites and they didn't do it right.

**Riley:** I want to piggyback a question on this, and I'll ask it generally because I'm not the expert on social policy. Why isn't more money spent on precisely this question of evaluation? I conducted an interview within the last couple of months with somebody else who had a lot of domestic responsibilities in the Clinton administration. He said he had been deputed to go work on a particular issue and the first thing he did was request all the relevant studies on Issue X and came to discover that there weren't any, that there were bits and pieces here and there, which was something that was repeated over and over again during his experience. Part of your portfolio as Assistant Secretary is evaluation, right?

**Edelman:** It's expensive. It's also actually very hard to do. The gold standard of evaluation is to have a control group and an experimental group. You can basically do that only with something where you're studying something with very few moving parts, very few variables. A lot of what we think is the most promising in terms of helping people in the area of services, speaking very generally, relates to multi-service kinds of entities, and it's hard to isolate the variables. There are huge methodological problems.

When we were talking about evaluating the empowerment zones we had exactly this conversation. There are certain things that you can do. You can simulate a control group by looking at another community with similar characteristics demographically and economically where you don't do the treatment that you're doing in the place you're studying, and make a comparison. So the evaluation world has some approaches to these more complicated things. But that brings me back to statement number one, it's expensive.

A huge amount of money was spent on evaluating the TANF [Temporary Assistance for Needy Families] program, the 1996 welfare law, tens of millions of dollars were spent. I have to say we still don't know some things we ought to know. You're talking about human beings, and it's very hard to follow people by name and keep track of them. In a statistical way, you can kind of find out things. So the short answer is it costs a lot of money and it's hard to do.

**Berkowitz:** How about this as an explanation, get your reaction. Also people don't really want to know—

**Edelman:** I'll take that one into it.

**Berkowitz:** The most rigorous experiment actually is ASPE, someone who is very involved in these things, the negative income tax experiment, which began in OEO and was picked up by ASPE later on. The results were very ambiguous, it didn't show what—people used them for their own advocacy purposes. They (a) weren't clear enough, and (b) were the wrong answers sometimes. Since people don't really want to hear the wrong answer, they weren't interested.

**Edelman:** And a variation on that is you're out on the street delivering services and you think you're doing a good job, and you're dealing with very difficult people who have lots and lots of problems. If somebody actually studies it, it will turn out that while you know you helped some people, there were a whole lot of other people you didn't help. People are going to say it wasn't good when you know that it really made a difference. That's another version of "you don't want to know."

**Berkowitz:** You don't want to know that a guaranteed income helps break up Hispanic families, for example. That's counterintuitive and that was—

**Edelman:** Yes, so the results of those experiments were that women, in general women who were in bad marriages, used the provision of the extra money to tell the guy to get lost or to leave him. You can take it a step further and say, "Wait a minute, that's not necessarily a bad result." But somebody is going to politicize it and say, "Oh, giving people money breaks up families."

**Berkowitz:** It is a bad result if the welfare reform is sold as an incentive to keep families together.

**Edelman:** Yes, but all these things are politicized and twisted to meet the eye of the beholder.

**Berkowitz:** So that gets us to this whole truth and power. Can we talk about ASPE now?

**Riley:** Sure, if I could, let me interject, a preliminary question is, when was your appointment?

**Edelman:** To ASPE?

**Riley:** Yes.

**Edelman:** It was August, maybe early September 1995.

**Riley:** So it was pretty late in the process.

**Edelman:** Yes, David [Ellwood] was there for two academic years. He left in the summer of '95.

**Riley:** So he was expecting to go back after two years, that was not a—

**Edelman:** And I had the whole judgeship thing—

**Riley:** We want to come back to that.

**Edelman:** But it relates to this because Donna said to me, “Well, okay, the judgeship thing didn’t work out. David’s leaving. It occurs to me that a perfect thing to do would be you stay and you be the Assistant Secretary.” So it was a very sweet thing for her to do. It was a logical thing for her to do as well, but it was a very sweet thing to do.

Just one thing so it’s in the record, that modestly bugs me, the *Washington Post* didn’t bother to do its homework when I quit the government and didn’t bother to find out that I was the Assistant Secretary, not the Acting Assistant Secretary. I had a recess appointment from the President, I have the certificate on my wall, and the consequence of that was that when people go and do a Google search, if they go to the *Washington Post*, rather than the *New York Times*, they repeat that I was the Acting Assistant Secretary, which is not true.

**Berkowitz:** Okay, that’s straight for the obituary.

**Edelman:** Thank you, thank you.

**Riley:** More than that.

**Edelman:** But anybody who wants to do research and at least look through, if they’ve gotten this far in the interview and my stuff, they can find that out.

**Riley:** Let’s proceed on this, but I definitely want to come back and spend some significant time on the judgeship.

**Berkowitz:** If I may suggest, since chronologically judgeships come before—

**Riley:** That sounds great. Tell us how this first came up and what transpired.

**Edelman:** It first came up because I said at the very beginning of the administration that I was interested in a circuit judgeship. The first judgeship that came up they appointed Judith Rogers, which was fine, they wanted to appoint an African-American woman, and she’s an excellent judge. The second one that came up they appointed my dear friend David Tatel, which was an excellent appointment. What they said to me was, “The President thinks that in view of his political difficulties of the moment—” which of course, at any moment he had political difficulties— “that if he was seen to be appointing somebody who was his friend it wouldn’t sit well.”

I have to say David is my dear and close friend, so it wasn’t as though they appointed somebody not of quality or something like that. So I said to Lloyd Cutler at that point, which must have been still ’93, when David was appointed, possibly early ’94.

**Riley:** Lloyd didn’t come until ’94. Bernie Nussbaum was there—

**Edelman:** Right, it must have been early ’94. Lloyd was the one who called me to say that they were appointing David Tatel. In other words, it was a close enough thing. It wasn’t like I read about it in the newspaper. Lloyd called me and he said, “We’re appointing David Tatel,” and he

said what I just said. He said, "I promise you that when the next one comes up we'll do it." To which I said to myself, *Sure, and somebody or other is going to get wings*. So Ab quits the court and goes to succeed Lloyd later on that year and this is in September. I figure I'm going to pull Lloyd's chain. I call him up and say, "Remember you said to me when David was appointed and the next one came up I could have it?" He says, "Yes, I remember. I'll get back to you."

Later that day the phone rings and it's Lloyd. He says, "You got it." I said, "What?" I was standing up, I literally had to sit down. It was a very emotional moment. I had always hoped that my father would get to be a judge. In the '60s we futzed a little bit with Fritz Mondale possibly making him a district judge and they said he was too old, he was already 60, and who knows what else. In any case, it was something that probably always has been more meaningful for me symbolically than the actual thing of doing the job. I suspect it's been a great favor to me to not be a judge. I was ecstatic.

Hillary called us at home that evening. We both got on the phone, and she was really, really, really excited that it was going to happen. She said, "We've just got to get the FBI going, get you appointed and get the hearings held and do this all fast, really, really, really fast." I said, "I wish that that could be done and I'll certainly do my part, but don't hold your breath. It just takes longer than that." She said, "I know, I know, I know." But it was very sweet. She was very excited about it.

**Riley:** Had you had previous communications with her to express your interest in this?

**Edelman:** I don't know that I'd ever said it to her directly, but I certainly had said it to people who had said it to her. I might have, I just don't know. But Maggie Williams, who was her Chief of Staff, is our very close friend, so there are lots of ways in which I probably said something to somebody. And, as I say, I was in play when the Tatel nomination took place, so I either told her or told somebody who told her and the President.

So we start filling out the papers and it gets around. You're not supposed to talk about this stuff, but I suspect Donna probably told some people. Everybody in HHS, Harriet Rabb, the General Counsel, and Donna herself, everybody was really excited about it. I did tell them and maybe I shouldn't have, but I just couldn't contain myself. In any case, I remember Senator Paul Simon comes running up to me, I'm talking to Arthur Levitt, the head of the SEC, at some reception. He's is a huge gossip, a friend of ours, and Paul Simon comes running up to me. He was always really nice to me. He says, "It's the greatest news, that's so wonderful." I'm like—so—

**Riley:** For the record, you're waving no, no.

**Edelman:** So Arthur Levitt says, "What's he talking about?" "Oh, nothing," I had to tell him. Anyway, not that any of this would have made any difference, but pretty soon a little piece appears in Al Kamen, in which he says, "This is going to happen." So some of the attack started before the election and anyway, then the Republicans take over Congress. That's a whole new ball game. Orrin Hatch gives an interview to Nick Lewis of the *New York Times*, which I think is after the election in which he says, "Can't do it. I know Peter Edelman, good guy, just can't do it." So he prints that.



Then it turns out that they are running a very serious campaign of besmirchment and character assassination and so on, “they” being primarily this man Tom Jipping. We have on the left a wonderful woman called Nan Aron, but turnabout is fair play, they have an awful man named Tom Jipping and they both do the same thing. Nan Aron spearheads trying to stop conservative judges and he spearheads trying to stop liberal judges. Poor fellow, he hasn’t had much to do lately.

One day the whole editorial page in the *Wall Street Journal* was attacking me because I had my own Willie Horton when I was youth commissioner. It was the story I mentioned yesterday. George Will wrote a whole column about my guaranteed-income article, which somebody wrote for him, maybe he added a few twists and so on, but somebody fed him all that stuff. The *Washington Times* editorialized numerous times. There was Paul Craig Roberts, there was an editorial in the *New York Post*, there was a column I think in the *New York Post* also, there was a column in *U.S. News* by a man named John Leo, I think is his name. There was this orchestrated campaign that I shouldn’t be confirmed.

Ab Mikva, who is my friend, essentially picked me to be Arthur Goldberg’s law clerk. He was Arthur Goldberg’s partner in Chicago and was helping Arthur Goldberg decide. So we had a friendship that went back over 30 years. He was very enthusiastic about it. It was his seat I was going to get, he thought it was great. He said, “Look, if you can get Republican support on the Hill, we’ll send your name up.” I should have said, “Forget about it.” So I dutifully tried this set of people who knew Arlen Specter and I tried this guy who knew [Charles] Grassley, my Republican friend in Iowa, and I tried this other guy who knew Bob Dole. People made lots of calls for me. What came back, shocking, gambling in Rick’s Café, was, “We have an open mind. Let the President send his name up and we’ll give him a fair hearing.” Obviously, they’re not going to say, “Sure, send his name up, I’ll vote for him.”

After a month of that or six weeks, whatever it was, I said, “This is stupid,” so I stopped trying. Meanwhile Orrin Hatch said, “If you send him up for the district court, I’ll confirm him.” That’s a statement with a lot of wiggle room in it because there are still blue slips in there, there are still other people, and still the possibility for him to say, “I would have done it but just can’t get the rest of the committee.”

**Riley:** Would you have been interested in that?

**Edelman:** Yes. I said I would take a district court appointment. I figured, I’m a smart enough guy, I’m more qualified to be a Court of Appeals judge, but I could certainly learn, and there are a lot of reasons why being a district judge is more fun anyway. So I said, “Yes, I would do that.” By the way, Teddy had been very helpful. He had talked to Orrin Hatch back in November, after his own election was over. He really had helped, and he was very embarrassed about it because Orrin Hatch clearly was just not moveable on the Court of Appeals question.

**Berkowitz:** But they were friends supposedly.

**Edelman:** They have an uneasy relationship, it's a complicated relationship. Friendly maybe, friends maybe not. And he said to me, "Look, I can make headway with him on some things and not on other things. I can't work miracles. Sometimes I'm successful, sometimes I'm not." I said, "It's fine." There was no district court seat open. Comes about June 1<sup>st</sup> of 1995 and both Joyce Green and Harold Green take senior status, federal district judges in D.C., fine judges. I'm told that Joyce Green actually did it specifically to make room for me. It doesn't cost you anything to take senior status. You can get your full salary, you can have a full docket, so it's not a big deal, and she was of an age.

So Ab called me all excited and said, "Okay, now there's a seat, dust off your papers, we can move on it." And at one point I went and saw Alan Simpson, somebody got me in there, it wasn't the White House. And Alan Simpson didn't commit himself, but he was very cordial and certainly gave me the impression that he'd be willing to do it. Now, even Alan Simpson and Hatch aren't enough if somebody blocks the nomination, so we don't want to overstate the possibilities here.

Time passes. I'd call Ab infrequently enough so that I'm not bothering, not a pest, but once every couple of weeks or so, "What's up?" "Oh, it's coming along, just have to clear it." Finally, mid-July, somebody else tells me, maybe Maggie Williams tells me, "There's going to be a meeting about you tomorrow with the President, and they're going to decide whether to send your name up." I said, "Oh?" "We'll let you know what happens." I said, "What's that about?" "I don't exactly know," she said, "but I'm going to the meeting, I'll do what I can."

I think the meeting gets postponed once, so maybe it's two or three days later and she calls and says, "They're not going to send your name up. The President said it's too close to election, and he just doesn't want to start a whole other controversy when essentially we're already into the reelection period." So that's basically the story. Abner Mikva called me the next day. It turned out he'd been out of town—and I think probably he was conveniently out of town, but that's all right—and said how awful he felt.

The only thing that's unfortunate is that neither the President nor Hillary called me, and I was very angry about that. I completely understood and understand that Republicans controlled Congress and it's quite possible, probably likely, that I would not have been confirmed, even to be a district judge. So I never had a problem with not nominating me, I thought that was entirely reasonable and expending political credit on—this is a President who didn't expend political credit on any appointments, we know that from Lani Guinier and others. But in my case that was not something that bothered me. What did bother me was that neither one of them had the grace to call personally. It's a character flaw. It's an inability to say something that would have been perfectly well received. I'm sure there are many, many other instances of that. I don't believe that's personal to me at all.

**Riley:** You mentioned the Guinier case, which we didn't touch on yesterday although again, you hadn't been involved in the appointments process. You had known Lani Guinier? I would guess you were both old friends of the Clintons. Did the way that had unfolded concern you?

**Edelman:** Oh, sure. I talked to Bernie at the time, and I told him they were being ridiculous and that that article didn't mean what people said it meant. He sort of harumphed.

**Germany:** Could you speculate a little on the reasons for the opposition to you?

**Edelman:** It's on two levels. One is I had written an article about the idea of a guaranteed minimum income. The other is the Willie Horton business. Governor [Hugh] Carey wrote a letter to the *Wall Street Journal* on that and said, "I backed him at the time and I back him now, and he was a great youth commissioner." That was all. Anything answerable that came up I had it answered. As I said, I had written an article arguing that you could read the Constitution to require a guaranteed income for poor people. It was a thought experiment, but that's what they seized on, that this guy is wacky, he's a radical left person. That was the only substantive thing. And that was just one piece.

Politically it's a three-fer or a four-fer. It's payback for [Robert] Bork just to begin with. It's a hit at Clinton and Hillary, personal friend of Clinton and Hillary. It's a hit at Ted Kennedy, the guy is a friend of Ted Kennedy as well. Maybe it's even a little hit at my wife in the process. Politically they satisfy themselves in multiple ways. Whatever the precise way to state that is, it's not like somebody from Cincinnati who happened to write a law review article that's a little off. In my case I'm a more visible person and I have all these relationships, so there's much more politics associated with it.

**Riley:** Peter, when you wrote this article did it occur to you that you were doing something that could complicate your future prospects?

**Edelman:** No. My friend John Douglas, who has always been so sweet, one of my great fans, said, "Peter, that's a courageous article," and I frankly didn't know what he was talking about. I guess he got it. But it never occurred to me, I've never lived my life that way. I'm sure you've interviewed lots of people who have calculated in their lives that they shouldn't do something because it will hurt them later on. That's okay, I respect that, but I've never lived my life that way. It's not to say I've been sloppy or careless, but I would have written the article exactly the same way if I thought I had a chance to be—it never occurred to me I was ever going to have a chance to have a Court of Appeals judge. It never occurred to me there was going to be another Democratic President in my lifetime.

**Riley:** One wonders, especially in the wake of the Bork business, whether that might not have a chilling effect on legal scholars who wish to have a—

**Edelman:** No question about it. People like Larry Tribe who have been very courageous and very outspoken in their legal views understand that they're not going to be judges. Larry Tribe obviously would be a great Supreme Court Justice, but he came to understand that a long time ago. That's not new, and that's a more obvious example. But I'm sure people tailor their writing and their scholarship. I once kidded Stephen Breyer that he had chosen to write about regulation because he knew he wanted to be a judge—regulation and deregulation, questioning command and control regulation.

**Riley:** Should we go to the Assistant Secretary?

**Berkowitz:** All right.

**Riley:** Is there anything else on the judicial that you want? You've told us how you got into the Assistant Secretaryship. You had to be confirmed for this?

**Edelman:** No, it was a recess appointment.

**Riley:** That's right.

**Edelman:** I would have been able to serve until the end of 1998. I think the way the Constitution reads it's the Congress beyond the Congress sitting.

**Berkowitz:** Was there a briefing book? Talking about briefing books as we did yesterday.

**Edelman:** Maybe, I don't particularly remember.

**Berkowitz:** If there was, you knew enough not to read it.

**Edelman:** I honestly don't remember. There's some kind of a briefing book, but it's much more how ASPE was organized. It wasn't specifically prepared for me.

**Berkowitz:** And David Ellwood was back at Harvard at the time. So who was Acting?

**Edelman:** I don't know, I don't remember.

**Berkowitz:** Did you call David Ellwood?

**Edelman:** Yes, I talked to David a bit.

**Berkowitz:** Is it a little like the Justice Department—we talked about cases that they have, in ASPE they have projects. Did someone say, "These are our big projects," which involve both research they're doing and also grants-in-aid to other researchers?

**Edelman:** Yes.

**Berkowitz:** So does one go into this with an agenda of any sort? This is a peculiar job, this ASPE.

**Edelman:** My thought was that I was staying a relatively short period of time. If I were coming in at the beginning of the administration I would have handled it differently. I would have developed an agenda of my own with the assumption that I would be there for four or eight years to pursue that agenda. I did not do that, partly because there was an ongoing agenda the Clinton administration developed over a three-year period and there wasn't any particular need or even very much room for it, and partly because I didn't see myself as being a long-term player. The

recess appointment, by definition—they could have submitted it at some point. It was cleared with the chair of the Senate Finance Committee, so I probably could have been appointed and confirmed.

As I got into the job, I began to find things of personal interest to me. There was a point, very shortly after I took over, at which Donna asked me to develop an annual plan for the year 1996. So after a very short while we did have a revised or updated agenda of what we were doing.

**Berkowitz:** The other thing about ASPE that's distinctive, this really is a professional job. It has traditionally been held—Henry Aaron had it. The guy who held it for the longest time, later went to Mathematica, Bill Morrill, they're economists and if they haven't been economists they've been—Robert Rubin was a doctor. You weren't. You're in a culture that's not your culture. Did that affect you?

**Edelman:** A bit. But I know a lot about policy in these areas, even though I haven't been a researcher. So it wasn't like engrafting me onto an alien place. I was quite comfortable. I had been working with a number of them as Counselor to the Secretary on various projects, so I'd gotten to know a number of them anyway. Wendell Primus, who was the Deputy for income issues, had been a friend of mine for a long time. The people who worked on domestic violence, the people who worked on drug policy, every one of these things, the empowerment zones, people from ASPE had worked with me on it.

**Berkowitz:** How about in health?

**Edelman:** Health less so, but we were past the heavy lifting on the health. Judy Feder was gone. That whole experience was sort of over. There was not a lot of health stuff to do. There were some things. During that period there were certainly congressional threats through the budget process to Medicare and Medicaid. I was supervising the staff work on those things and being involved and reporting it. I know something about health policy.

**Berkowitz:** One of the other traditional tensions of the ASPE job is, I don't know if we talked about it before, but it's complicated too because you are the Assistant Secretary, and it is the Secretary's research job. But HHS, I'm trying to remember when SSA [Social Security Administration] left—

**Edelman:** Some time in '93, '94.

**Berkowitz:** So the SSA is gone, which changes the dynamic of the department significantly. But each one of these, the PHS [Public Health Service] is nothing but a lot of it is research and so on, and HCFA has big research—it's never entirely clear how one manages that. What's the difference between the Secretary's research agenda and the Center for Disease Control's research agenda? Did you confront that at all?

**Edelman:** You have to step back in the way HHS is organized. It is essentially line and staff, and they're known as op-divs and staff-divs, operating divisions and staff divisions. And of course it's this huge bureaucracy. After Social Security was gone you still had 63,000 employees. You

had 125,000 before. It cut the number of employees in half. These are nominal monies, because they're monies that flow through to people in large part, but at the time it went from something like a \$600 billion budget to a \$300 billion budget. Of course now Medicare and Medicaid have gone up more.

**Berkowitz:** And of course a lot of the people who work for Medicare work in these intermediary offices that aren't even counted, disability determination offices that aren't counted.

**Edelman:** But in terms of actual federal government employees, the numbers were something like that. So the Secretary has a series of staff agencies—there is ASPE, which is Planning and Evaluation, there is Budget, which is called ASMB, the Assistant Secretary for Management and Budget. There is Legislation, there is Intergovernmental Relations, there's General Counsel. There's a kind of secretariat, which manages everything and sets up all the meetings and so on. There's the office of the Chief of Staff, the office of the Deputy Secretary. What am I leaving out? Those are all people who report to the Secretary and who enable her to operate in a countervailing power way vis-à-vis the operating divisions. The operating divisions are HCFA as it was called then, NIH, CDC, FDA [Food and Drug Administration], SAMHSA, HRSA, the Indian Health Service, I think that's mainly it.

**Berkowitz:** Lots of children and youth.

**Edelman:** And the Administration for Children, Youth and Families, ACF it was called, the youth part comes in at a subsidiary level. That was the other one.

So any proposal that comes up from an operating division, if that's the way in which it gets generated, is vetted by all of these staff divisions. If it's something important, there's paper and there's a meeting with somebody from every one of the staff divisions along with that operating division to decide what to recommend to the Secretary. Sometimes more than one operating division has a stake in it. That's the frame.

ASPE has that tension that you spoke about with the various operating divisions in that context. It actually has tensions horizontally as well. If we have some kind of an idea about legislation, we have to deal with the legislative shop. If we have ideas that cost money, we have to deal with the budget shop, etc. So yes, there definitely is research going on that's sponsored by HHS that dwarfs ASPE. ASPE has about a \$100 million budget, if that. I think it's about a \$100 million budget. And the Institutes, all they are is research. The last time I looked that's something like \$10 billion, maybe more by now.

**Berkowitz:** Training too, but yes.

**Edelman:** And a big question therefore is the extent to which we have a say, if we're the Secretary's representative in terms of "running the department" vis-à-vis the operating divisions, how much do we have to say about research that is going on in these other places? The answer is, it varies. Sometimes there are things that are jointly conceived, sometimes there are things where we actually can say to somebody we don't think that's a good idea.

**Berkowitz:** Traditionally ASPE has a reputation for the leading edge stuff, the political stuff and the marches, welfare reform, health insurance, as opposed to DRGs [Division of Research Grants] for example in Medicare, which were developed in HCFA, not in ASPE, but ASPE was also involved. In other words, you're changing a program and there are lots of technical things to work out that are very significant like DRGs, which tends to be an agency-held thing. But each President has typically had a political agenda with some kind of welfare reform, some kind of health insurance—

**Edelman:** It also depends on the competence and the depth of the staffing in the operating division. HCFA had the capacity to do DRGs. Who in the department had the capacity to develop a welfare reform proposal? You didn't have staff in ACF who had that sort of sophistication. They participated. Howard Rolston works in ACF. So some of the time the things you're talking about get to be located in ASPE, new proposals and so on, because there really isn't sufficient depth other places to carry them, that's part of the dynamic.

**Berkowitz:** Also, in the case of welfare reform, those negative income tax people tended to be in ASPE. There also was a major health insurance experiment that went on in the '80s and I think into the '90s that gave them a certain amount of expertise.

**Edelman:** And part of it depends on the strength of the staff.

**Berkowitz:** Of course, if you know the Secretary it's good. Presumably you would have been very good at that, you would have been somebody who had absolutely good relationship with the Secretary.

**Edelman:** I think I was well received in ASPE. Part of it is because when I do a job like that I make an effort to talk to people and see what they're doing and reach out and literally walk the halls and keep tabs on things. I think my access to Donna was noted, sure.

**Berkowitz:** Did your job really change? Did you continue to do a lot of these sorts of projects that you were working on?

**Edelman:** No, it did change. For one thing I became the lead person along with Mary Jo [Bane] in the department on welfare, which I had nothing to do with before, and that took up a lot of time. Secondly, I probably would have been involved anyway, but I became a person who brought staff to the table on the question of how to handle the shutting down of the government and the budget fights of late '95 and early 1996. I had a big role in terms of morning meetings every day—what do we do now? As Counselor to the Secretary I perhaps would have sat in on those, but I would have been much more of a kibitzer. Here I was a sort of statutory player if you will.

It became my responsibility to review and comment on memos on a wide variety of issues that I'd never worked on before. So I kept the portfolios I had but I did much, much less work on them.

**Berkowitz:** Did your staff meetings change? Did she have a regular group of her people and then a regular meeting with the heads of the different agencies? As Counselor I don't know whether you had any formal role going to the—

**Edelman:** I went to a lot of meetings as Counselor, anything that was a regular meeting with all the assistant secretaries I would go to. So that was the same. Now I had staff meetings of my own. I had, as I recall, one every other week. It was a smaller group and then a larger group.

**Riley:** You were not then involved in any of the prior welfare reform efforts before you came on board in the fall of '98?

**Edelman:** No. Ann Rosewater and Michael Wald, who were my friends, would tell me what was going on.

**Riley:** There was a task force created in the White House, 27 or 28 people, you weren't on that.

**Edelman:** They were on that and I got reports, so I know some things about it, but only secondhand.

**Riley:** Did you have confidence in that process or were you concerned—

**Edelman:** Not particularly.

**Riley:** Because of the people who were on it or because of the reports about—

**Edelman:** I had confidence in the HHS people who were on it. There was a continuum or spectrum of views—Michael Wald and Ann Rosewater were at the liberal end and Mary Jo and David were more centrist.

**Riley:** David was a co-chair of that task force with Bruce Reed. Was Mary Jo the other?

**Edelman:** I don't remember. The basic point about that is they discovered that Bruce Reed, whom they didn't know all that well when it started, was really rather conservative. Clinton had made this proposal about time limits in the campaign that was not a hard time limit proposal, connected to a job being available. The implication was that jobs would be created. Well, there wasn't money around to create jobs, so the understanding was that that meant any proposal that he made was going to be "if you can't find a job you can continue to receive cash assistance," but that there would be more encouragement for people to go to work, certainly it would be more work oriented. Most of us were in favor of that. He said early on in the meetings, "What's wrong with having hard time limits?" and people were just aghast. He said, "What's wrong with having hard time limits? What's wrong with having a definite time beyond which you could no longer receive cash assistance for your family?" The HHS people won that point in those discussions.

**Berkowitz:** Welfare reform was something you knew about, you had been involved in the 1967 exercise with Senator Kennedy, and it was certainly an issue of concern to your wife because it's a main income support for youth. Do you have a history in this? Did you have a position, for



example, on the Program for Better Jobs and Income, which was President Carter's big welfare reform initiative?

**Edelman:** Oh, yes, I was very much involved in helping to defeat the Nixon plan. I worked very closely with George Wiley and the National Welfare Rights organization. In retrospect we probably made a mistake, but in any case, he and I and others helped to kill the Nixon plan in the lame duck session after the 1970 congressional elections. I wasn't particularly involved in the Carter plan.

**Berkowitz:** How about the [George] McGovern plan?

**Edelman:** Yes, I tried very hard to talk McGovern out of that. George Wiley and I both thought it was a pretty terrible idea, for different reasons. George thought too much money was going to people further up the income scale. He wanted something more concentrated on the lowest income people. I thought it wasn't work-oriented enough, that it was a pure cash program and it needed an investment in job creation and in helping people get jobs. I've always been consistent about that.

I called Frank Mankiewicz, McGovern's campaign manager, in 1972 during the California primary and I said, "There's an incipient problem here." He said, "I'll talk to you when I get back to Washington. We're riding high here, we're going to win California, it will keep." This is before the [Thomas] Eagleton problem and so on. When he came back, we finally talked and he said, "Well, okay, I'll get you involved."

There was a meeting at NYU [New York University], at the home of, I think, the economist Ed Kuh, who by then had gone from MIT [Massachusetts Institute of Technology] to NYU. I was with Jim Tobin and all these economists. We had this knockdown, drag-out battle where it was just me against all the rest of them and I said, "You people are endangering this man's electability. Proposing this is a political disaster. You've got to stop him and revise the proposal and make it quite different." And their attitude was, "Pffft, get out of here." So, yes, I was very much involved in that.

**Berkowitz:** So when you come to Clinton, you're a realist, but now you've got an appreciation à la Robert Kennedy that jobs are important. That's what being a liberal on this issue meant as Clinton approaches it, that you believe it's entitlement but should be connected to a job?

**Edelman:** I suppose. And?

**Berkowitz:** So where does that put you in the Clinton discussions, very far to the left?

**Edelman:** Doesn't put me in the Clinton discussions. I wasn't hired to do that. What I thought they were doing, Ed, I had been skeptical about the Family Support Act, as we discussed yesterday. Although I thought ultimately it was not doing huge damage, I also thought it was not hugely significant going forward. I hoped that had more or less settled the debate even though not in a very satisfactory way for a good deal of time to come. What I thought that Clinton was up to, despite the campaign rhetoric, was essentially the development of a proposal—which is

true—that was going to tweak the Family Support Act further. That’s what the ’94 Clinton bill was. It was a series of adjustments to the Family Support Act. I wasn’t very interested in that. My view of that was, *Fine, let them do whatever. I didn’t get hired to do that, there’s no reason for me to push my way into that. I’ve got plenty to do. It’s ultimately, from my point of view, not a cost beneficial use of my time.* So I was perfectly happy not to be involved in it.

**Berkowitz:** So when you get to ASPE, how does that situation change? You mentioned that you did get involved when—

**Edelman:** Had to, it came with the territory. And the whole deal was different. It’s completely different by then because now, when I get to ASPE, it’s just coincident with the time when Wendell has worked up the memorandum that says enacting the Republican version with ending the entitlement and having the fixed time limits is going to drive a million kids into poverty. Essentially coincident with my arrival, Donna is taking that and personally handing it to Clinton in the White House and saying, “This is what is going to happen if you come out”—as he had not yet—“if you come out and say that you’ll take a bill that ends the entitlement and creates an arbitrary time limit, this will be the result. Don’t send that signal to Congress that you’re willing to sign a bill that does it.” Last ditch effort. He sends that message. In mid-September 1995, he informally sends word to Congress that he would sign a bill with those features.

My wife writes him an open letter in the *Washington Post*, an op-ed in the *Washington Post* that says, “Mr. President, please don’t sign a bill that does those two things,” and she quotes the Old Testament, the New Testament, Reinhold Niebuhr, Rabbi [Abraham] Heschel, Martin Luther King, Moses, and Jesus. It was an amazing thing to do—an open letter to the President saying, “Don’t sign a bill like that.” That’s the context. Nobody in HHS thought it was a bad thing for her to write that letter, *nobody*! At least nobody who said anything out loud.

So that puts Mary Jo, Wendell, me, Rich Tarplin, Harriet Rabb, and a few others in a regular meeting to say what have we done this week and what are we going to do next week to keep a bill that does that from ever getting to the President’s desk. That’s our job.

**Riley:** Are you working the Hill?

**Edelman:** I’m not personally, but they are.

**Riley:** The Secretary is also in this?

**Edelman:** She’s in it somewhere, she knows it’s going on.

**Riley:** The question I’m having is whether you’re working the Hill at some level apart from the White House—

**Edelman:** Yes.

**Riley:** So you’re sort of freelancing—

**Edelman:** Freelancing, yes. At one point Donna has me talk to Senator Moynihan on the phone, but mostly I wasn't out front on it. Other people were doing the conversations on the Hill. Rich Tarplin is the legislative. He would be the main one doing the talking.

**Berkowitz:** What did you talk about with Senator Moynihan?

**Edelman:** I don't even remember.

**Berkowitz:** Was it a tactical thing or—

**Edelman:** It was something small. She wanted me to establish a relationship with him, and there was something I was doing that she thought would be a good excuse for my calling. Marian and I had a long, very uneasy relationship with him. At one point he attacked Donna for having been involved with the Children's Defense Fund that had "opposed the Family Support Act." It's more complicated than that. But there was a long history that goes all the way back to when he was in the Nixon White House.

**Berkowitz:** And, of course, the Family Assistance Plan was his baby.

**Edelman:** Yes, that, but there was at one point a White House conference on food stamps that he had opposed. He was against having a national food stamp program because he thought it disturbed the beauty of the Family Assistance Plan. He didn't think that there should be a bifurcation in income assistance. Somebody was with him in the White House watching television with him. I don't remember who it was but happened to be there. Marian was speaking to that conference and he said something to the effect, but I think this is an exact quote, "There's that nigger woman who's married to that rich Jewish asshole." And it got back to us. So he had not been somebody we thought well of for a very long time. I'm not rich, which was our little joke about it.

Then I can remember he was sort of unpopular after he'd been in the White House, and he had a connection to Arthur Goldberg. He had been Assistant Secretary of Labor under Goldberg, and there was a reunion of Goldberg clerks up in Cambridge. Somebody came up to Marian and me and said "You've got to be nice to Liz and Pat Moynihan because he's having a very tough time," and we're like, no thanks. So there was a long history.

**Riley:** There had been an uneven history within the Clinton Presidency on this question.

**Edelman:** Yes. When he ran for the Senate in '76 I went to David Burke and said, "Don't let Hugh Carey say a nice thing about Pat Moynihan." Then, I think it was [Robert] Novak, some columnist talked to David Burke about why Carey was not supporting Moynihan—there were other candidates in the primary. And David Burke said to him this reason and that reason and then he said, "Peter Edelman, who is the Governor's youth commissioner, would quit if the Governor were to endorse Moynihan." It appears in print. [laughs] So it was a long history.

**Germany:** Did any of the antagonism go back to the Moynihan report itself?

**Edelman:** Not particularly. I think neither of us liked that.

**Berkowitz:** The “benign neglect” memo has a long history.

**Edelman:** That’s right. There’s plenty to say about Moynihan without getting us into it personally. So that’s relevant but—

**Riley:** It is historically very important to understand where the fissures are. From the outside sometimes you see the result of the fissures, and you have no idea how deep they are or how longstanding they are.

**Berkowitz:** He’s no longer head of Finance because it is after 1994, the election has already—he’s lost—he only was head of Finance very briefly—but he’s still an important Democrat on this particular issue.

**Riley:** I want to go back to this question about the freelancing work because this is fascinating—

**Edelman:** It is fascinating.

**Riley:** The White House is beginning to take a formal position. You have a Republican bill that I guess by that time had been enacted or—

**Edelman:** Had been—

**Riley:** Maybe not through conference and everything because that version gets to the President in the budget.

**Edelman:** It has probably passed the House by then.

**Riley:** The White House clearly is formulating—

**Edelman:** Because why is he sending that message informally to the Senate in September of ’95. It’s because the House bill is on its way over.

**Riley:** But they’re taking a position that is at odds with the departmental position, right? HHS is taking a very different position from the President on—

**Edelman:** Yes, informally.

**Riley:** On the general issue, and formally. Informally yes, but you’re actively working the Hill on this position.

**Edelman:** The main argument we made to them was, “You ought to take a look at the fiscal implications of this and see if your state is going to be better off or worse off. Maybe somebody ought to start a little discussion about the distribution—start a food fight about how the money gets split among the states.” I think that’s the main thing we were saying. To some Democrats

we were saying, “You ought to make a greater effort to revive and put out there as an alternative, a version of the Clinton bill.” We were making the argument that you could say welfare reform was already being done through the waivers, which was the main argument we were making to the White House over and over again.

**Riley:** Were you getting signals from the White House that they were displeased with this level of activity, or was it so sub rosa, with so many other things going on, that they’re not really picking up that you’re doing this?

**Edelman:** I think more the latter. I don’t think it was that concerted on our part. A lot of our weekly meetings were just much more, “What do we do and what do we recommend to the White House about A, B, and C that’s happening?”

**Berkowitz:** How about SSI issues? One of the other parts of this welfare reform effort, which presumably Children’s Defense Fund was very interested in, is this notion that they call this “mad money.” It was very easy for children under SSI to qualify for benefits under mental disability rules. This is an issue that had been litigated and goes back to the very complicated question of SSI, which was intended for elderly people when it was created in 1972. It turns out to serve a lot of children and people with disabilities, and the disability determination thing wasn’t set up for children. It had become an important income support in a lot of places, and it was seen as an unfair entitlement. Did you have a position on that?

**Edelman:** Yes, we were at least quietly trying to say that whatever reductions there were going to be should be the minimum possible. Ultimately in the ’96 bill there were reductions in SSI but by the time they did the redeterminations, it was a relatively small number. Maybe 300,000 kids nationwide lost SSI by the time that whole thing sorted itself out. But yes, we were trying to minimize the damage in that area. There was some abuse of SSI. You have to be careful on the merits of that.

**Berkowitz:** That’s my question, I guess.

**Edelman:** It’s not just a political question. How you make it appropriately a little more rigid without going too far is the question.

**Riley:** Is the Secretary the sole channel to the White House at this point on welfare reform?

**Edelman:** No, you have different people who relate. You have Rich Tarplin relating to the legislative people in the White House. You have the head of the budget—I’m blocking his name right now, our budget guy, relating to the OMB people. So everybody is relating to their counterpart.

**Riley:** In your meetings what you’re attempting to do then is coordinate your message to the White House so each of these individual channels is basically giving the most compelling message.

**Edelman:** Yes, and sometimes we would say about something or other, “Why don’t you be the one who calls?”

**Berkowitz:** We’re talking about a period in which the President has not yet vetoed any welfare reform legislation?

**Edelman:** At the beginning, yes.

**Berkowitz:** So that’s what we’re talking about, we’re at that period.

**Riley:** Let me pose this question to you. Were you aware of the fact that the President had communicated through channels to the Hill what his bottom line was?

**Edelman:** Oh, yes.

**Riley:** At that point you felt ultimately the game was up or the job was to make sure that you didn’t get to the point legislatively that the President could get something he would feel comfortable signing.

**Edelman:** We did not have a unified thought about that. Certainly the unified thought was that we were going to do our best to see that a bill the President would be willing to sign would never get to his desk. That we were secondarily going to do our best to talk him out of what he had said, which was the point about our arguing that he had done welfare reform by giving the waivers to the states. That perhaps if there came a time when there was some momentum toward getting a bill to his desk that he might sign, outside groups could be alerted and energized to put pressure on him not to sign it.

So there was a series of interrelated thoughts. Rich Tarplin said to me sometime along the way, “You shouldn’t kid yourself.” There had been a quiescent period where nothing much happened in early ’96. He said, “Don’t kid yourself. If the President gets a bill, he still wants to sign it.” I remember that conversation very well. Wendell Primus thought it was a big enough danger that he said to me in June, “If the President ever indicates he’s going to sign a bill, I’ll be out of here before he signs it.”

I said to myself, *One way or another this is not going to happen*. Now maybe that was a little denial, but when Wendell said that to me I didn’t particularly react. To me it was more of a theoretical statement. I think I didn’t believe it would ever come to that.

**Riley:** Did you take heart—the first veto occurs in December of ’95 and it’s embedded in the budget reconciliation.

**Edelman:** A little bit, but that’s where Rich Tarplin comes in. The Governors come to town in early February, and the President—this is after he’s had the two vetoes—calls a bunch of them upstairs after dinner and says, “I’d really like you folks to get more active on the welfare thing and get me a bill I can sign.” They say to him, “That’s fine, Mr. President, but what we really want is for you to support block granting Medicaid.” He says, “Yes, okay, that’s possible.”

So the word comes back to us out of the White House and, of course, this is in the middle of the government shutdowns and a lot of snow that winter and everything else. The government getting shut down again for snow reasons. I remember vividly the next day we were all sitting around in our daily budget meeting that we would have over on the legislative side. “My God, he’s talking about block granting Medicaid.” So somebody said, “That won’t last.” It turns out within a week he backs down from that and it’s nursing homes, and the middle class people for whom Medicaid pays for their nursing homes, the doctors, the hospitals, everybody comes down on the White House about that. So he backs away from it.

The Governors then work with the House people to draft a combined Medicaid and welfare bill. But the point is that the House people don’t want the President to get credit for signing a welfare bill. So the House Republicans cheerfully couple the Medicaid with the welfare in one bill because that’s just insurance that it won’t go anywhere. It sits there like that through the spring, and we’re thinking, *Oh, maybe it’s going okay here*. Then you get in June, the 104 freshmen and sophomore members write this letter to Gingrich in which they say, “You’ve got to decouple the Medicaid and the welfare because we’ve got to send him a bill that he can sign. *We* can’t get reelected if we don’t show that we’ve done something.” They really hadn’t done very much.

Gingrich agrees to that and they decouple it, so what is this about? It’s a deal where essentially Clinton is saying to the House, “Go ahead and stay Republican and I’ll keep on being President. It’s a deal.” Why would the Republicans agree to that deal? Bob Dole is down the tubes anyway. It’s not a serious proposition on that end of the deal. It’s a serious proposition the other way.

**Berkowitz:** Can you explain that again? What was the deal exactly?

**Edelman:** The deal, implicitly, is if the Republicans pass a bill that he signs, he gets credit and they get credit.

**Riley:** It’s an incumbent protection.

**Edelman:** So they can say, we the Republican Congress passed this welfare thing and he happened to sign it and he says, “I signed it.” So he gets reelected, they get reelected. That’s the proposition.

**Riley:** I don’t want to get too far afield, but I want to get this story on the record. Your trip with Newt must come before this.

**Edelman:** That’s in November of 1995.

**Riley:** November of 1995 you’re going to [Yitzhak] Rabin’s—

**Edelman:** Yes, the tragedy happened and I was sitting in my house trying to figure out whether I could possibly get on a plane to be there because of my previous history on the Middle East peace issue. The phone rings and it’s Hillary. She says, “A seat has opened up on Air Force One” because Jim Baker I think, has a bad back. She said, “I’d like you to go because you were the

first person who ever talked to me about Middle East peace,” which is true. I said, “Yes, of course, I’d be delighted.”

She said, “Somebody will call you, you appear at such-and-such a place at Andrews Air Force Base.” So that’s how I came to go. It was her way, I think, of saying she was sorry about the judgeship.

**Riley:** This was before welfare reform was heating up.

**Edelman:** It’s post his statement that he’d be willing to sign a bill that block granted and had the rigid time limit. It’s post that. It’s November 1995.

**Berkowitz:** Who is on this plane? Hillary is going, is Bill also?

**Edelman:** Yes, the President, Hillary, Senator [Tom] Daschle, Senator Dole, Gingrich—

**Riley:** A couple of former Presidents on that plane?

**Edelman:** I guess so.

**Riley:** Carter—

**Edelman:** I was in a back compartment with former Secretaries of State and with the congressional leadership and a couple of other people like Mort Zuckerman. But it was mostly dignitaries. On the way back, Gingrich was trying to talk to Dole about the budget. It was nighttime. Dole just wanted to sleep, and Gingrich would not shut up. Dole must have said to himself, “How do I get this guy to shut up?” Absolutely hilarious. Anyway, we landed there and the former Presidents are up in the limousines.

Gingrich and [Richard] Gephardt and Dole and Daschle and I and Mort Zuckerman and maybe one or two other people were in a little bus. I’m sitting here by the window and right there is sitting Newt Gingrich. So [chuckling] I finally said something about “What do you think about what’s going on on welfare?” and started a conversation and we had a debate for 45 minutes. It was totally surreal.

**Berkowitz:** It was a predictable debate?

**Edelman:** Yes, totally predictable. You could write the lines.

**Berkowitz:** Were you impressed with his mental agility?

**Edelman:** No.

**Berkowitz:** So neither person changed his position as a result.

**Edelman:** Certainly not.



**Riley:** A true Middle Eastern discussion.

**Berkowitz:** Did you see the President on that flight?

**Edelman:** Yes, I played hearts with him all the way back.

**Berkowitz:** Can you tell us about that?

**Edelman:** I'm sitting there, we've taken off, and I'm saying to myself, *I probably won't be on Air Force One anytime soon again, so why am I just sitting here and thinking about falling asleep? Why don't I get up and walk around and see what's going on?* On the way over they had had everybody in that big conference room in the center of the plane to have a briefing about the political situation, what might some of them want to say if they're asked by the press, and so on and so forth. Everybody was crowded into that room. That was kind of impressive.

But I walk up there and sitting in that room are Clinton and Bruce Lindsey and Mort Zuckerman, and the woman who was the Chief of Protocol from Arkansas whose name I'm blocking at the moment. Anyway, she was the Chief of Protocol, Mel—

**Berkowitz:** Not the woman whose husband and children died. There was also a Chief of Protocol—

**Edelman:** No, that's Molly Raiser.

**Berkowitz:** It wasn't Molly?

**Edelman:** It's Mel [Mary French]. She says to me, "Oh, am I glad to see you, I don't know how to play hearts. Do you know how to play hearts?" I said, "I do know how to play hearts." She said, "Sit down." So I sat down and the four of us played hearts all night long.

**Riley:** Was that the first time you'd ever played hearts with the President?

**Edelman:** First and only. But I have a picture of it.

**Berkowitz:** Did he talk?

**Edelman:** Probably he did, but mostly we just played cards. The only thing that happened that was kind of interesting was that Hillary came walking in at one point and jumped into his lap. That was sort of sweet.

**Germany:** There was no wagering.

**Edelman:** No.

**Berkowitz:** I suppose that Air Force One leaves on time too, not like a real plane. It doesn't keep you waiting a long time.

**Edelman:** It leaves when it's ready to leave. I don't know whether that's on time.

**Riley:** It leaves on Clinton time. This is also the flight that Newt—

**Edelman:** Yes, so then he tries to talk budget with Dole who wants to escape. Then he claims that he's been made to walk down the back steps of the plane. Excuse me, we *all* walked down the back steps of the plane. Why he got so insulted was weird.

**Riley:** Maybe you had a role in that. You may have so aggravated him over in Israel—

**Edelman:** Think about it.

**Riley:** —that you ultimately led to his downfall, because that was a terrific blow to his public persona.

**Edelman:** I beat the President at hearts. What about him? I guess he's more resilient.

**Riley:** We'll get back to the middle of welfare reform now. It goes into the summer. Is there ever a time when you feel as if you're truly going to beat this thing?

**Edelman:** This all happens very fast. They write the letter, Gingrich starts to move the bill. The White House is clearly cooperating with it. Clinton goes on a West Coast political swing, and somebody asks him a question about the welfare bill. He says, and it's on the front page of the *New York Times*, "You can put wings on a pig but you can't make it an eagle." We took that to mean that he had decided the bill was not perfectible. Indeed, I think a number of the groups that were beginning to come together to put pressure on him—Now remember, there was very tough immigration legislation pending at the time, so anybody among those groups who had a concern about that—which was the whole Latino community and some of the faith community and so on—was quite distracted by that legislation.

In any case all of the groups, the unions, the children's, the women's, the minority groups, the faith-based, and so on, were mobilizing to put pressure on him. I think when they read that in the paper they all breathed a sigh of relief and let up. Then a couple of weeks later he has this climactic meeting on July 30<sup>th</sup> or 31<sup>st</sup> in the White House and "hears out all the arguments" of the various people. Everybody there, except for Vice President Gore and Bruce Reed and Mickey Kantor and Rahm Emanuel, wants him to veto the bill. That includes Harold Ickes, George Stephanopoulos, Leon Panetta, Secretary Rubin, Secretary Cisneros, Shalala, and I think Reich was there.

**Riley:** You think he had made up his mind?

**Edelman:** Yes, I think he had made up his mind.

**Riley:** So he signs the bill.

**Edelman:** Well, before he signs the bill—it takes me about 48 hours for it to sink in. I start going to meetings where they're starting to talk about implementing it, and I realize this is making me very uncomfortable, even a little ill. I notice that Mary Jo Bane is having the same reaction. Wendell leaves right away. So I found myself saying to Donna, "I can't do this." And Mary Jo and I decided we would coordinate when I got back from my vacation. We didn't leave until, I think, September 11<sup>th</sup> because Donna asked us to wait until she could get successors, even on an acting basis, cleared by the White House. Whether that was true or not we said fine.

**Riley:** There was some speculation that the Democratic convention was intervening and you had agreed—

**Edelman:** No, we didn't have this discussion with her until well—I went on vacation and so did Mary Jo. We both went on vacation. So we didn't have the discussion where we decided we were both quitting until we came back from vacation. I had told Donna, I don't know what Mary Jo had done. But Mary Jo and I had agreed before I left on vacation that we would coordinate whatever we were going to do. We didn't have that discussion until I got back. I told her I'd be back on such-and-such a date, I don't remember whether it was late August or early September, and I was walking in the door of my house and the phone was ringing. It was Mary Jo saying, "Okay, what are we going to do here?"

**Berkowitz:** You didn't say to yourself, this is something I should do on November 5<sup>th</sup> or whatever the day after the election.

**Edelman:** No, quite the contrary.

**Berkowitz:** So you wanted to put this in play as an election issue?

**Edelman:** No, it was a very tricky business. What we wanted to do was make sure it was understood that we were resigning on principle, and it was hardly a principle if we waited until after he was elected. On the other hand, we did not want to jeopardize his reelection. Very tricky. So we agreed we would have no press conference, no appearances on any morning or news show. We would simply each put out a little statement to our staff and if that leaked so be it.

**Berkowitz:** If Senator Dole had been a 42-year-old charismatic candidate giving the President a very close race, would you have done it differently?

**Edelman:** That's a hypothetical question. I don't know, it's possible. But it's a hypothetical question and I can only answer what our situation was. On the other hand, if I was so sure Clinton was going to be reelected, why did we want to be careful not to blow it up more? We didn't expect to get that much news coverage. First of all I thought it would take maybe two or three days before it would find its way into the papers, but Seymour Hersh calls me that day. He's a very close friend of ours. He says, "I can't believe it, it's a front-page story," and he hangs up the phone. He calls back about an hour later and says, "I can't believe it, it's above the

fold, it's the lead story in the paper." Hangs up. It got a lot more attention than we thought it would.

**Berkowitz:** How did you actually announce it?

**Edelman:** We each sent an e-mail to our staff.

**Berkowitz:** Okay, and how does a *New York Times* or the media find out about it?

**Edelman:** Beats me, I didn't do anything. I'm not being cute with you. We had no discussion with anybody about anybody doing anything with it. We assumed somebody would leak it, but we never discussed that with anybody.

**Berkowitz:** Did you talk to people who called you from the press? When they called you up did you—

**Edelman:** Basically not, and I think that's one of the reasons the *Washington Post* made that mistake, because one of their reporters called and I wouldn't talk to her. I talked to one press person a week or so later, and it was a mistake. It was Jonathan Alter of *Newsweek* and I knew him because we'd both been Japan Fellows, not that I didn't know a lot of these other reporters. I just should have said no anyway. He wrote the only nasty piece that I know of that anybody wrote.

**Riley:** Was there anybody else you know of who was contemplating following the same path you followed?

**Edelman:** I don't know of anybody else.

**Riley:** Did you have conversations with the Secretary about her sense of the appropriate response?

**Edelman:** Appropriate response from—

**Riley:** Did Donna feel the slightest bit inclined to register a protest?

**Edelman:** I doubt it. She had responsibility for the whole department.

**Berkowitz:** The word is that she was keen to keep going—

**Edelman:** She had tobacco, she had a lot of things. It's a different calculation for her. I never thought that it would cross her mind that she should quit. The three of us may have made it a little uncomfortable for her. I certainly didn't mean to.

I talked to many people. The one concern I had was how my staff felt about it. I did talk to many people on the staff, and they essentially said, "You're doing it for me too."

**Germany:** What was the reaction from the White House, informally and otherwise?

**Edelman:** The President sends me a sort of a form letter, thanks me for my service and then the rest of it is a rehash of a press release. I think it was probably signed by machine, I'm not sure. Hillary sent a handwritten note that said she understood that differences arose among friends and she hoped we would be able to find our way back together. Bob Reich came to my good-bye party. I had notes from Leon Panetta and from Laura Tyson, a number of others.

**Germany:** But no phone call.

**Edelman:** From the President? No. I wrote him a very strongly worded letter.

**Berkowitz:** About welfare reform?

**Edelman:** Yes, about welfare reform.

**Riley:** Did that get out?

**Edelman:** No.

**Riley:** So that's in the papers someplace.

**Berkowitz:** It will be in the Clinton Library someday.

**Edelman:** I suppose. I have my copy of it. I did send it.

**Riley:** Can you recount for us generally what you told him?

**Edelman:** It was just strong disagreement with the policy and a strong statement of the damage I thought the policy was going to do.

**Berkowitz:** No reply.

**Edelman:** No. The letter I got from him may have said—I haven't looked at it in a long time—it may have mentioned my letter, but it didn't make any response to the substance of the letter in any direct way.

**Riley:** In retrospect, do you feel as though your concerns have been borne out?

**Edelman:** Yes. Fortunately for everybody concerned, the economy took a huge forward leap shortly thereafter, so the employment prospects for welfare recipients improved measurably, very substantially. Nobody knew it was going to be that way, they couldn't know that. The result is that the predictions I made in the *Atlantic Monthly* article in significant respect didn't come to pass. Studies show that 60 percent of former welfare recipients have a job on any given day, and of course there was this huge decrease in the welfare rolls from 14.3 million at the top two years prior to the legislation, but that was the peak, 14.3—down to about 5 million today. Some of that

is due to the policy, but most of it is due to the availability of jobs. Some of that is also due to the Earned Income Tax Credit, which was an incentive for people to take a low-wage job. But there's no question that the combination of facing a lifetime time limit and in particular sanctioning policies of state and local welfare offices for failure to cooperate and so-called diversion policies, not letting people on, all played a role in pushing people toward a labor market in which there were jobs available fortunately.

The result of that is that a significant number of people found work, and the studies show that about half of those people got out of poverty, half didn't. That's not the worst problem, because it's relatively easy to fix. You can add to people's income if they're working. But on any given day, 40 percent of the former recipients have no job and no cash assistance. In the course of a year some of those will have a job, some of those have gotten married or moved in with family and are in some way stable. So it is not that all of that 40 percent, which is about 1.2 million women plus their children, about 2.4 million children, are worse off, but a substantial number of them are worse off. The average income of the people whose income is below half the poverty line has actually gone down over that period of time. Maybe by now it is stabilized, but it went down. So there's no question but that there was injury at the bottom that is not widely reported.

The third thing is that you have to look at the story state by state. Some states have good policies like Maine and Vermont and Rhode Island and Illinois and Minnesota, and there are states with horrible policies like Idaho and Mississippi and a number of others.

**Riley:** One of the things the President did when he signed the bill was to say he thought it was a flawed bill on a couple of dimensions and that he would attempt to fix those flaws.

**Edelman:** That was a misleading statement. What he meant was the provisions about immigration, about legal immigrants. He also was quoted in the *New Yorker* as saying it was a decent welfare bill wrapped in a sack of shit. It's the same point. He's gotten credit for fixing those provisions. That's not even true. What they fixed is, anybody who was in this country prior to August 26, 1996 now can have SSI but anybody who comes to this country afterwards still can't get SSI. He didn't fix that.

There's been a fix on food stamps that's a little more successful or more encompassing. That is also future oriented for a good share of the potential recipients. There has been nothing done to the basic welfare provisions, zero. He never tried to fix those at all, and of course they have not been fixed.

**Berkowitz:** The *Atlantic Monthly* article you wrote received a great deal of attention. Can you tell us about how that came to be?

**Edelman:** I wanted to do three things when I got out. I wanted to write an article about my experience, I wanted to start working on a book, and I wanted to prepare to teach. I remember sitting—our new section of the law center wasn't going to be ready until January. I'd come back unexpectedly in September. There was no office for me so they gave me a carrel in the library, which was probably good. I could be by myself. It had a door that closed. So it was me and my computer and a telephone.

I remember calling my wife and saying, “I have these three things and I don’t know which one to do first.” And she said, “What are they?” I told her and she said, “It sounds to me like you’d better do the article first.” I said, “That’s right.” So I just sat down and started writing. It just came out of my brain in about three days. Not exactly the way it read ultimately, because I got some wonderful editing from Jack Beatty at the *Atlantic*. I had talked to Sy Hersh and a couple of other people about where to place it, and the clear opinion was that that was the only practical place to put it. Sy helped me and they took it.

**Riley:** How did you manage the period of time personally right after departure? Was it a depressing period for you?

**Edelman:** I think I was probably more off my usual self than I thought I was. I remember having an experience where there was another person named Edelman who had come to be in our clinical faculty. I was rather new to e-mail at the time anyway, and I kept getting e-mails from his mother. They were these long things that told me stuff I didn’t want to know and I didn’t know who this guy was. Instead of being nice about it and saying, “I think there’s some mistake here and please let’s figure this out,” I wrote her quite an irritated e-mail about how in effect she was invading my privacy when, poor woman, what does she know. That clearly was a statement about my state of mind and I’m very embarrassed about it. So I must have been somewhat off.

I got back to regular teaching very quickly. The article must have been very therapeutic to get that out.

**Berkowitz:** You started teaching in that fall term?

**Edelman:** Spring term. The dean gave me a research leave for the fall.

**Riley:** You and your wife had been friends of this couple for a very long time. How did you manage to deal with the parting?

**Edelman:** It’s never going to be exactly the same. We’re on very cordial terms. He came and was the speaker—I’m the Board President of the New Israel Fund, he came just last week, May 10, 2004, to New York City and was our speaker at our 25<sup>th</sup> anniversary. I was ecstatic that he did that, and he was pleased to do it. I’m very close to people who work with Hillary and in touch with them a lot. I end up teaching a lot of them who come to our school. We have a lot of friends in common, Maggie Williams, Evelyn Lieberman, many other people who are dear friends of ours and remain dear friends of ours who are very close to the Clintons. So there’s definitely an ongoing relationship. But it won’t ever be the same.

**Riley:** You think it was tougher on you or your wife?

**Edelman:** That’s a good question. I think both of us are disappointed.

**Berkowitz:** You wrote a book about Robert Kennedy, and that's one of the great transformation stories in American politics. How do you feel about the Clintons then, having seen them through this, over the long period? Are you disappointed?

**Edelman:** I think Bill Clinton is one of the most brilliant people ever to be President of the United States, and he also is a person who has a number of flaws. I would take him back in a nanosecond, right now. If we could wave a magic wand and put him back in the White House I'd do that without hesitation.

I think that holding Bill Clinton to the standard to which Bill Clinton ought to be held, his was a disappointing Presidency. Holding him to the standard to which other people are held, there's a tremendous amount that's positive. One of the key things in judging the Clinton Presidency, apart from the moral scandal, is to go back to why the Congress was lost in 1994. It's very important. If you believe that the Congress was lost in 1994 just because shit happens, then you're a lot less hard on him. In fact, he handled the six years of the Republican Congress brilliantly in many ways, again apart from the fact that he got embroiled in the impeachment scandal and, of course, they were looking for anything and might have seized on something else anyway. But he gave them real ammunition. There were therefore things he didn't pay enough attention to that we now know were quite consequential. But he beat them on the budget, he beat them politically so many ways that are almost unbelievable over that six-year period considering the amount of power they had over this country.

The judgment gets much, much, much more negative if you have a view that we shouldn't have lost the Congress in 1994, as I do. So that's an important part of the judgment that I make. It's an unfinished work in terms of his life, what he'll contribute as a former President. It is even more so an unfinished work as to her life since she probably will run for President. I look forward to seeing how she develops as a Senator. I think she is a very good United States Senator. Her politics are more centrist than mine so she does things I disagree with. She does many things also that I agree with, and I think on balance she's a positive force.

**Riley:** You've been a Democrat for a long time. What is your sense of Clinton's legacy for the Democratic Party?

**Edelman:** I think he contributed to leaving the Democratic Party in a weakened state. It's difficult. There are so many factors and forces operative over that period of time, but you know the infamous triangulation that took place. It's certainly true that one could say the facts speak for themselves in terms of control of the Congress, control of state houses, control of state legislatures that happened, shall we say, on his watch. That he was somebody who tended to work more for his own political survival than he did for the building of the Party.

I think it's difficult to make a full, unambiguous judgment about that. But I think the legacy is that this eight years of Democratic rule did not end up being good for the Democratic Party. Now, very complicated. Al Gore didn't make use of him in the year 2000. Was that right or wrong? My personal belief is that it was wrong. Al Gore could have not only won the election, as he did, but actually take office, had he made better use of Clinton in the election. So it's not all on Clinton.



**Riley:** We focused the last hour or so on a couple of problem areas for you, welfare and the state of the Democratic Party. Let's end by asking you what you think his greatest accomplishment was. And what was it about your time there that you feel good about in terms of your service?

**Edelman:** I think his greatest accomplishment was in balancing the budget and contributing to putting the economy into a state of tremendous good health and leaving us with a huge surplus that was bound not to last at that level, but that certainly has been unnecessarily frittered away. That's *the* biggest thing. A lot of things go with that in terms of what you can do as a country, what happens as a country when you have that kind of surplus.

On foreign policy it's hard to say. He was awful in Rwanda, he was slow in Bosnia. They did the right thing in Kosovo. On the other hand, it was a time of relative peace in the world. How much credit does he get for that? He was certainly, in general, respected around the world. Within the United States I think it was a good time, not as good as maybe it could have been in a lot of different areas. He made serious efforts about race relations in our country, and specifically in the areas of my greatest interest, the increase in the Earned Income Tax Credit in 1993 was phenomenally important, a very great accomplishment and one for which he deserves tremendous credit.

I'm very proud of AmeriCorps. Other things that happened, there was some Head Start reform. The empowerment zones turned out to be less important than we had hoped, but it was an initiative with good faith behind it. Compare that with what we have now, and there's a long list of things on the positive side. Family and Medical Leave Act is another one of the things that his leadership and people around him accomplished.

For myself, I feel most strongly positive about the work I did on AmeriCorps. We haven't talked about it except a little bit, but some of what I did on domestic violence I felt very good about. It was a new issue for me and I made some professional relationships and friendships and we made some difference there. We didn't talk about D.C., I don't know that we need to. That was just something that I worked on which was there and important and a difficult time for D.C. because of all the sadness and misfortune that had fallen on the District of Columbia. So I guess that's my answer to your question.

**Riley:** You've been very generous with your time, I'm very grateful. I was asked actually by Bruce Lindsey at our advisory committee meeting three or four weeks ago about my sense of whether some of these interviews go well and some of them don't go well. I said, "Of course there are some that go better than others," and I think this has been very much in the good category. I think we've learned a great deal and have an awful lot to add to the record from this. People we have no knowledge of will benefit from the time you devoted to our project, for years and years to come.

The other thing I told Bruce though was that I never leave an interview feeling like I've covered absolutely everything. There's always a sense of missed opportunity on things that you pointed out, domestic violence and D.C., but we'd probably have to spend weeks with virtually every candidate in order to get everything.

**Edelman:** I think you've got something, maybe not the great stuff, but something on the most important issues I worked on. I think the project is absolutely wonderful. I'm so grateful for the chance, for the fact that you asked me and that I have the chance to participate. For my part it has been entirely a delight. I told Marian last night to say yes when you call.

**Riley:** We'll definitely be in touch.