



“I Thought We Were Going to Confirm Him”

Date: 1968-08-27

Conversation: WH6808-02-13323

Participant: Lyndon B. Johnson

Participant: Everett M. Dirksen

Start Time: 11:15

Duration: 01:23

Place: LBJ Ranch

SCENE SETTER: A coalition of Republicans and right-wing southern Democrats blocked President Johnson’s nomination of Supreme Court justice Abraham “Abe” Fortas for Chief Justice of the United States. Senate Minority Leader Everett M. Dirksen [R–Illinois] had promised to do his best to push the nomination through but did not deliver.

President Johnson: So what’s this I hear about you pulling in your horns on [Abraham “Abe”] Fortas? I thought we were going to confirm him.

Everett M. Dirksen: I didn’t pull my horns—

President Johnson: Well, they said your staff said that you were going to be gone, and that you couldn’t do much more, and that—

Dirksen: Oh, [*unclear*]—

President Johnson: —Fortas wouldn’t be confirmed, and—

Dirksen: I just got a few dates set for September, but I’ll be here.

President Johnson: I’ve told Fortas and these folks that you were going to see he’s confirmed, and, by God, I want you to stand up there and slug it out.

Dirksen: Yeah. Well, I don’t know what the hell [James O.] Jim [Eastland]’s [D–Mississippi] intentions are.

President Johnson: Well, why don’t you take charge and find out?

Dirksen: [*Chuckles.*] I can’t take charge of Jim and [Samuel J.] Sam Ervin [D–North Carolina] and John [L.] McClellan [D–Arkansas], because they’re all—and [J.] Strom Thurmond [R–South Carolina]—they’re hostile, and, of course, [Hiram L.] Fong [R–Hawaii] is hostile, too, as you know . . . so I just take them in the stride. By the way, while you’re on—

President Johnson: Well, are you less optimistic than you were?

Dirksen: Huh?

President Johnson: Are you less optimistic about Fortas than you were?

Dirksen: Well . . .

President Johnson: Do you think these folks want [Earl] Warren to go back on that bench?

Dirksen: Huh?

President Johnson: Do you think they want Warren to go back?

Dirksen: Oh, Christ, *I* don't want him to go back.

President Johnson: Now, you think they do?

Dirksen: I don't know. I don't know. That'd be [*slight chuckle*] the greater evil, God knows. And I'm [*unclear*], and I'll do my best.

President Johnson: OK. All right.

End of excerpt.

CITATION: "Lyndon B. Johnson and Everett M. Dirksen on 27 August 1968," Conversation WH6808-02-13323, *Presidential Recordings Digital Edition* [Johnson Telephone Tapes: 1968, ed. Kent B. Germany, Nicole Hemmer, and Ken Hughes] (Charlottesville: University of Virginia Press, 2014–). URL: <http://prde.upress.virginia.edu/conversations/4011157>

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