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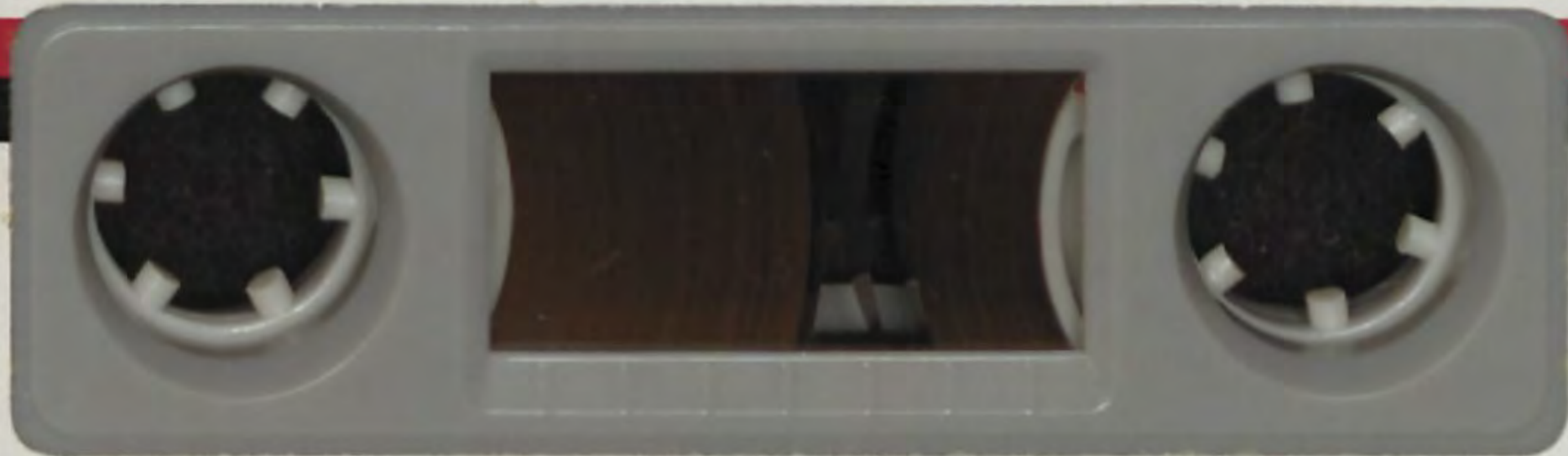
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Oral History Interview with Gibson Prather

December 18, 1980. Washington, D.C.

By Pete Daniel

Prather: My name is John Gibson Prather. I've been press secretary to Senator Morgan from 1975 until the present, six years. I'm a native of Kentucky, who went to school there and have spent practically all of my adult life in the newspaper business. I worked on newspapers in Kentucky, in Florida, in Virginia and in 1954 came to North Carolina as editor of the Daily News in Jacksonville. After two years there, I moved to Fayetteville as managing editor of the newspaper there and stayed there as managing editor and later as the executive editor for the next twelve years.

I had thought perhaps that I would retire until Senator Morgan called me in 1974 and asked me if I would join his campaign to handle his press relations. I did that, and after he had won election to the United States Senate, he asked me to stay on his staff as press secretary, which I did for about three years in the Raleigh office and then came to Washington for the next three years.

It has been a very enjoyable experience working for Senator Morgan and I have handled practically all of his media contacts, have written the weekly newsletter, press releases, a weekly newspaper column, scripts for weekly radio broadcasts and

the latter of which were taped and distributed among the North Carolina stations. We've made a conscious effort to project a good image of the Senator, to honestly tell the people where he stood on issues that have arisen during his six years in office, and I think we have been fairly successful. This is being recorded now in late December as we are closing up the office and preparing to leave following his defeat in the general election in November.

DANIEL: Do you want to go on now to his campaign?

PRATHER: This recent campaign for the Senate in which Senator Morgan was the Democratic nominee and Dr. John East of East Carolina University was the Republican nominee, was probably the campaign in which I have had experience that saw more distortions, misrepresentations, and outright falsehoods as regarding Senator Morgan's position than any other campaign that I have ever encountered, and I have been through some rather, what I would call, dirty campaigns.

For instance, I was involved in what political analysts say was the second dirtiest campaign in United States history, and that was down in Florida when George Smathers beat Claude Pepper, the incumbent, in the Democratic primary. This campaign was unique, the Morgan campaign, that is. Professor East had the backing of Senator Jesse Helms and Senator Helms' political apparatus in North Carolina called the Congressional Club. He also had the active support of ultra-right wing organizations

from throughout the country who contributed money to his campaign. But the chief money raiser was the Congressional Club. Senator Helms has a mailing list of some 200,000 ultra-conservative people throughout the country to whom he is able to make appeals for money and they respond generously. I think without doubt the East campaign raised and spent at least two million dollars for television alone in North Carolina, which I think is a record as of this date in North Carolina politics.

They started early. Professor East needed some name recognition, and they saw to it that he got it early. He came on the television, it seemed, several times a day in all parts of the state hammering away at Senator Morgan's vote for the Panama Canal Treaty, for his vote to, as they said, give \$75 million to the Marxist government in Nicaragua, and for what they said was his vote against the B-1 Bomber. The statement that he voted for the Panama Canal Treaties was correct, although, as they put it, he voted to give away our canal, which was hardly the case. His vote, which they said was to give \$75 million to Nicaragua, was not true. He voted to give a loan of \$75 million to Nicaragua. The money was to be spent with the American private sector, the American business sector, and it was an attempt to counteract the effort of Fidel Castro and the Russians to move into Nicaragua.

The statement that he voted against the B-1 Bomber was an out and out lie; he did not. He supported the B-1 Bomber

until the time President Carter had cancelled the program, and then he voted for an amendment which was proposed by Senator Stennis, Chairman of the Armed Services Committee, to bring back the money that had been appropriated for the bomber because it wasn't going to be spent. They used this one single vote as saying that he opposed the bomber, which was a flagrant mistatement-- but apparently effective.

Then there were other subtler nuances in the campaign. Senator Helms came on the television more and more as the campaign progressed talking about what a fine Christian Professor East was, what a fine family man Professor East was, the implication being that his opponent, Senator Morgan, was not.

We did not know it at the time, but the rumor was circulated, especially in the rural eastern section of the state, that Senator Morgan had a staff which was full of homosexuals. This was an out and out lie, and they knew it; but apparently it was effective because we had reports that on election day people who had formerly supported Senator Morgan said they couldn't do it this time because he had a great many gays on his staff. These were the tactics that were used.

They spent a great amount of money to defeat Senator Morgan, but as the Senator put it, after the defeat he would rather run a campaign the way we ran a campaign and gotten beat than to have run the campaign as they ran the campaign and win, and they didn't win by much. Out of 1,800,000 votes, the

margin was about 10,000 votes. So now at this date, it seems that the Moral Majority, which is a group of fundamentalist churches and the ultra-conservative and the anti-abortionists and the opponents of the Equal Rights Amendment and all these splinter groups have united to elect the United States Senator from North Carolina. It'll be interesting to see in the future whether they can keep this momentum going and increase their gains two years from now.

DANIEL: Can you think of anything during the campaign, any crucial decision that the Morgan campaign staff made, that may have cost the election, or was it the culmination of under-estimating East's power and so forth?

PRATHER: I have racked my brain ever since the election, which is about six weeks now, six weeks ago, to think of anything that we did that might have contributed to the defeat or to think of anything that we could have done that might have averted it, and for the life of me I can't think of a thing. I think it was a culmination of money, misrepresentations and I think also, Pete, right at this time with inflation and unemployment and a fear among the people that we are not as strong, as strong militarily as we should be and that Russia has overtaken us that they are very unhappy with Washington. I think that's the reason for some fifteen Senators being defeated all over the country this year, that, and the fact that similar tactics were used against these other Senators just as they were used against Senator Morgan.

DANIEL: Since you are a newspaper man, what do you think about the power of television? I mean, because he spent a lot of money on television the power of television to persuade people of an image even though there is no substance behind it.

PRATHER: I think the power of television today is rather frightening. It used to be that if you got a newspaper's editorial endorsement, it was a meaningful thing in almost any part of the country. In this past election, Senator Morgan got every major newspaper in North Carolina and a great many of the smaller newspapers in North Carolina to endorse him for re-election. Apparently that didn't mean a thing. I don't think that John East got a single endorsement editorial from any paper in the state, and yet by buying time on television, by spending \$2 million on television, by hammering home these distortions, misstatements, and lies, ad infinitum, apparently it was far more effective than anything the newspapers could do.

DANIEL: Were people just helpless before that kind of barrage, to think independently as in the past when they would read a newspaper and think about issues and weigh them more carefully?

PRATHER: Well, I don't think people are reading newspapers like they used to, and I think even less of them are reading the editorial pages, and I just feel like this television is a monster we've created and we just don't know how to handle yet. Apparently, the people who are opposed to the philosophies that

seemed to prevail in this last election are going to have to find some way to combat this, but right now I don't know what it is.

DANIEL: Maybe we ought to go back and let you talk about Robert Morgan, since you have known him for a long time and maybe give an assessment of him as a politician and as a Senator.

PRATHER: I have known Robert Morgan intimately for the last six years, and I consider him to be an outstanding public servant. Some of his strengths, however, as far as his public image is concerned, are also some of his weaknesses and possibly contributed to his defeat in this election. As a United States Senator, Robert Morgan wanted to examine every side of each issue that came up before he would take a stand. This policy as opposed to some members of the Senate, such as our own Senator Jesse Helms, who would rush into print and into television with a statement blasting the issue, which he would consider unpopular the minute it was proposed before looking at it closely. Senator Morgan wouldn't do this and sometimes would not make up his mind until shortly before a decision was going to be made, saying that he wanted to study all the issues involved in the question and wanted to hear the debate on the matter before he made the decision.

While this is commendable and while I think it is proper and prudent, it tended to make him appear indecisive in the eyes of a lot of people, and we got complaints that he appeared to be an indecisive person when in a matter of fact, he was merely trying to be responsible and to examine all the sides of the issue.

As a politician, he is not a great speaker, but he is an effective speaker. He is an extremely good one on one political operator. I am satisfied if he could have sat down and talked to enough people during this last campaign that he would have won, but unfortunately he couldn't do that, although he talked to as many as he could. He is a compassionate man and possibly hurt himself some with the voters, given their frame of mind right now, by his refusal to condemn such things as welfare, food stamps, and other social programs which seemed to be in disfavor because of the fact people feel that their taxes are high and inflation is cheapening their dollars. Although these were not politically popular this year, Senator Morgan refused to waiver in his support of helping people who needed help, and I am afraid these people are in for a rough time with this Senate that's coming in.

Just some examples of Senator Morgan's absolute belief in hearing all sides of an issue are one or two cases which have happened during the past few years. There was a bill which was backed by organized labor, called the Labor Reform Bill, which was probably more bitterly fought by businessmen in the nation and in North Carolina than any other measure that arose during these six years. Chambers of commerce, business associations, industrialists, even small businessmen mounted a concerted campaign all over the country and this included North Carolina in opposition to this bill. Senator Morgan was under heavy stress and under heavy heavy pressure from these groups to oppose this bill from the start.

He went before the chambers of commerce in various towns and spoke during this time. During question and answer sessions that followed, immediately the questions would start pouring in about the Labor Reform Bill and what was his position on it. He refused to commit himself even in view of this violent pressure until he had had a chance to look at the bill from every side and from every angle. This brought him criticism, heavy criticism, from business interests from all over the state.

I remember one day, the president of a large utility in North Carolina had one of his assistants call me and tell me that it was extremely urgent that he see Senator Morgan that day, and that he had some news that the Senator would welcome. So I called Senator Morgan who was in Lillington, and he agreed to meet this man in his law office. The utility president got out of his car, walked into the office, and the first thing he said was, "Robert, you have got to oppose this Labor Reform Bill." Well, this was not exactly what he had told me he had wanted with the Senator, and to the Senator's credit, he grew angry and told the man to leave his office.

The Senator got upset several times by the pressure that was put on him, and at one point, I believe in Hickory, told the chamber of commerce up there that if they didn't want a Senator who could think for himself, then they better send somebody else to Washington. In the end he voted against the Labor Reform Bill because he didn't think it was in the national interest, and he thought it gave labor too much power. But this is just one example

of his insistence on studying an issue before taking a stand. He considered this responsible; I think it's responsible, but it is not always popular.

Another example of Senator Morgan's principle of looking at each side of an issue, which might have made him appear indecisive in some minds, was when the vote to extend the life of the Equal Rights Amendment for another three years was brought before the Senate. The Equal Rights Amendment had been ratified by all but three states, and time was running out to get the additional three states that were needed. The legislation which was offered would have been to extend for three years the time during which ratification could have been achieved.

Senator Morgan had favored the Equal Rights Amendment from the start, but in this particular bill there was an amendment offered which would have allowed states which had already ratified the amendment to change their minds during this three year period. The opponents of ERA, including Senator Helms, the other North Carolina Senator, had blasted the extension from the start. Senator Morgan favored the extension, but on the matter on what they called rescision, which would have allowed some of these other states that had ratified the amendment to change their mind, he felt that if the legislatures in these states wanted to vote again and to withdraw the support they had issued, that they should have a right to do so during this three year period.

I happen to be sitting with Senator Morgan the day that the bell rang for the vote on this question. Also present on that day

was Charles B. Winberry, a Rocky Mount attorney and a close associate of the Senator. In fact, he had managed the Senator's campaign in 1974 when he was elected to the Senate. Mr. Winberry and I urged the Senator to go down and vote to extend the life of the ERA and to allow it to have more time for ratification, but he told us, "I am not sure it's constitutional if we don't allow these other states to change their mind."

He was aware of the intense political pressure that was being brought from both sides, and he knew that he was in a no win situation. Although his heart was with the proponents of ERA and had been from the start and his wife had campaigned actively for ERA in North Carolina, he walked to the door and turned around and looked at me and he looked at Mr. Winberry and just shook his head, and then he walked on over to the Senate Chamber to vote. Well, Mr. Winberry looked at me and I looked at Mr. Winberry, and he said, "how is he going to vote?" And I said, "I'll be damned if I know." Well, he went over and wrestled with his conscience and his conscience won, and he voted for what he thought was the constitutional way to vote and voted against it, although he favored the proposition generally. I think this is just the measure of the man. He has always been strong for the Constitution, and he doesn't believe in tampering with the Constitution and putting in amendments to the Constitution unless it is something very very vital. But he feels like the Constitution is the supreme law of this country, and he just couldn't go over there and vote for something that he felt was unconstitutional,

even though Mr. Winberry and I tried to tell him that the politically popular thing to do was to vote the other way.

Another little added chapter to that story was that after the vote the television station had called and asked if they could interview the Senator out on the Capitol lawn, and he and I started over to the Capitol lawn to do the interview. On the way we met Mrs. Phyllis Shafly, who was the leader of the anti-ERA forces and still is. She saw the Senator and ran up and threw her arms around him and said, "Oh, thank you, Senator, for your vote." Of course, she didn't know that he had voted that way just because he felt the Constitution was being violated. But to show you what effect on him she'd had, after she walked away he looked at me and said, "Who was that woman?"

One of the biggest disappointments Senator Morgan had during his six years was the case of Charles B. Winberry, who had been his campaign manager. Mr. Winberry is a Rocky Mount lawyer. Senator Morgan recommended him to be a federal judge in the United States North Carolina Eastern District. There was a vacancy there, which was created by the retirement of Judge John Larkins, and also a new judgeship was created under the Omnibus Judge's Act a couple years before. Mr. Winberry's name was submitted to the Justice Department and to the President as Senator Morgan's recommendation for one of those judgeships.

The Federal Bureau of Investigation looked into Mr. Winberry's background and gave him a clean bill of health. The American Bar

Association Committee, which screens applicants for judgeships, wrote a letter saying that they endorsed him. Then the President sent the nomination over to the Senate Judiciary Committee, and that's where it ran into some trouble. The staff of the Judiciary Committee, it seemed, soon became opposed to Mr. Winberry's nomination, and some questions arose as to his role as an attorney in some cigarette smuggling cases. One of the defendants in a smuggling case had bragged to people in and around Wilson that he had bribed Judge Larkins, who was the presiding judge in the case, and that Mr. Winberry had been the conduit through which they money was given to Judge Larkins. The man had been given a suspended sentence.

The committee staff, which apparently did not want Mr. Winberry confirmed, set to work to defeat his nomination. The committee staff, which was pretty well running the Judiciary Committee since Senator Kennedy was out campaigning for President, soon became actively opposed to Senator Morgan's candidate for the judgeship, Mr. Winberry. We had reports, which I believed to be true, that one of the investigators for the committee, a man named Carmine Bellino, made the statement in a staff meeting, "Well, I don't care if we don't have proof; he's a crooked son of a bitch, and I'm going to get him." They got him.

Two Senators, Senator Leahy, a Democrat from Vermont, and Senator Hatch, a Republican from Utah, were the two Senators who attended hearings on Mr. Winberry. The staff was able to

bring up people who had been convicted of felonies, cigarette smugglers, to testify against Mr. Winberry. No substantive proof was ever offered that he had bribed Judge Larkins, and anybody that knows Judge Larkins would know what a silly thing that is because you couldn't bribe him with any amount of money. He had never had any blemish on his long long career on the federal bench.

There were allegations that Mr. Winberry had directed his client to withhold evidence; these were never proved. None of these allegations were ever proved, and yet a coalition of Republicans joined by a few Democrats was able to defeat the nomination in committee. Subsequently, Senator Morgan, who said that this action by the committee shook his faith in the system more than anything else that has happened to him while he was here, asked the North Carolina Trial Lawyers to take the case record and investigate it, examine it, and to write their opinion as to how the case was handled. They found that Mr. Winberry had not been given fair treatment. One example of that was Senator Kennedy, who voted against Mr. Winberry by proxy, although he had never read the record and never been present at any of the hearings--hadn't even been to Washington.

This hurt Senator Morgan, I think, more than any one thing that happened to him during the six years he was here. Because he felt not only that his personal recommendation had been turned down, which was something of an insult, but that the whole

system itself had been abused, and he is a great believer in our system of government.

INTERVIEW WITH GIB PRATHER
DECEMBER 18, 1980

Proped
PD. 12-23-80

GIB: My name is John Gibson Prather, I've been Press Secretary to Senator Morgan from 1975 until the present, six years. I am a native of Kentucky, who went to school there and ^{have} I spent practically all of my adult life in the newspaper business. I worked on newspapers in Kentucky, in Florida, in Virginia and in 1954, I came to North Carolina as Editor of the Daily News in Jacksonville. After two years there, I moved to Fayetteville as Managing Editor of the newspaper there and stayed there as Managing Editor and later as the Executive Editor for the next twelve years. I had thought perhaps that I would retire until Senator Morgan called me in 1974 and asked me if I would join his campaign to handle his press relations. I did that, and after he had won ~~the~~ election to the United States Senate, he asked me to stay on his staff as Press Secretary, which I did for about three years in the Raleigh office and then came to Washington for the next three years. It has been a very enjoyable experience working for Senator Morgan, and I have handled practically all of his media contacts, have written the weekly newsletter, press releases, ^a ~~the~~ weekly newspaper column, scripts for weekly radio broadcasts and television broadcasts, and the latter of which were tape ^d and distributed ^{among} ~~along~~ the North Carolina stations. We've made a ^sconscious effort to project a good image of the Senator, and to honestly tell ~~all~~ the people where he stood on issues that have arisen during his six years in office, and I think we have been fairly successful. This is being recorded now in late December as we are closing up the office and preparing to leave following his defeat in the general election in November.

~~PETE~~ DANIEL: Do you want to go on now to the campaign?

GIB: This recent campaign for the Senate in which Senator Morgan was the Democratic nominee and Dr. John East ^{of East Carolina University} was the Republican nominee, was

probably the campaign in which I have had experience that ^{saw} ~~so~~ more distortions, misrepresentations, and outright falsehoods as regarding Senator Morgan's position than any other campaigns than I have ^{ever} encountered, and I have been through some rather, what I would call, dirty campaigns. [#] For instance, I was involved in what political analysts say was the second dirtiest campaign in ^{the} United States history, and that was down in Florida when George ^{Smathers} ~~Frathers~~ beat Claude Pepper, the incumbent, in the Democratic primary. This campaign was unique, the Morgan campaign that is. ~~The~~ Professor East had the backing of Senator Jesse Helms and Senator Jesse Helms' political apparatus in North Carolina called the Congressional Club. He also had the active support of ultra-right wing organizations from throughout the country who contributed money to his campaign. But the chief money raiser the Congressional Club, Senator Helms has a mailing list of some 200,000 ^{plus} ultra-conservative people throughout the country to whom he is able to make appeals ^{to} for money and they respond generously. I think without doubt, ^{the} East campaign raised and spent at least two million dollars for television alone in North Carolina, which I think is ^a ~~the~~ record as of this date in North Carolina politics. [#] They started early. Professor East ^{needed some} ~~made~~ name recognition, and they ^{saw} ~~so~~ ^{it} that he got it early. He came on the television, it seemed, several times a day in all parts of the State hammering away at Senator Morgan's vote for the Panama Canal Treaty, for his vote ^{to,} ~~as~~ they said, give seventy-five million dollars to the marxist government in Nicaragua, and for what they said was his vote against the B-1 Bomber. The statement that he voted for the Panama Canal Treaties was correct, although, as they put it, he voted to give away our canal, which was

hardy the case. His vote, which they said was to give seventy-five million dollars to Nicaragua, was not true. He voted to give a loan of seventy-five million dollars to Nicaragua. The money was to be spent with the American private sector, the American business sector, and it was ^{an} attempt to counteract the effort of Fidel Castro ^{and the Russians} to move into Nicaragua. The statement that he voted against the B-1 Bomber was an out and out lie; he did not, he supported the B-1 Bomber until the time President Carter had cancelled the program, and then he voted for an amendment which was proposed by Senator Stennis, Chairman of the Armed Services Committee, to bring back the money that had been appropriated for the bomber because it wasn't going to be spent. They used this one single vote as saying that he opposed the bomber, which was a flagrant mistatement, ~~But~~ ^{other} apparently was effective.

~~Yet~~ ^{then} there were ^{other} subtler nuances in the campaign. Senator Helms came on the television more and more as the campaign progressed talking about what a fine Christian Professor East was, what a fine family man Professor East was, ~~The~~ ^{the} implication being that his opponent, Senator Morgan, was not. We did not know it at the time, but the rumor was circulated, especially in the rural eastern section of the state, that Senator Morgan had a staff which was full of homosexuals. This was an out and out lie and they knew it, but ~~it~~ ^{it} apparently ^{it} was effective because we had reports ^{that on} ~~at our~~ election day people who had formerly supported Senator Morgan said they couldn't do it this time because he a great many gays on his staff. These were the tactics that were used. ~~They~~ ^{they} spent a great amount of money to defeat Senator Morgan, but as the Senator put it, after the defeat

he would rather run a campaign the way we ran a campaign and gotten beat, than to ^{have} run the campaign as they ran the campaign and win, and they didn't win by much. Out of a ~~one million eight hundred thousand~~ ^{1,800,000} votes, the margin was about ~~ten thousand~~ ^{10,000}. So now at this date, it seems that the moral majority, which is a group of fundamentalist ~~churches~~ ^{churches} and the ultra-conservatives and the anti-abortionists and the opponents of the equal rights amendments and all these ~~spending groves~~ ^{splinter groups} have united to elect the United States Senator from North Carolina. It'll be interesting to see in the future whether they can keep this momentum going and increase their gains two years from now.

~~PETE DANIEL~~: Can you think of anything during the campaign, any crucial decision that the Morgan Campaign Staff made, ^{That} ^{cost the} ~~may have caused~~ ^{election} ~~the campaign or a combination~~ ^{was it culmination} of underestimating East ^{is} power and so forth?

GIB: I have racked my brain every since the election, which is about six weeks now, six weeks ago, to think of anything that we did that might have contributed to the defeat or to think of anything that we could have done that ~~might~~ ^{might} have averted it, and for the life of me, I can't think of a thing. I think ~~that~~ ^{culmination} it was a ~~combination~~ of money, misrepresentations and I think also, Pete, right at this time with inflation and unemployment and a fear among the people, that we are not as strong, as strong militarily as we should be and that Russia ^{has overtaken} ~~is over taking~~ us and that they are very unhappy with Washington, and I think that's the reason for some fifteen Senators being defeated all over the country this year, that, and the fact that similar tactics were used against these other Senators just as they were ~~used~~ against Senator Morgan.

PETE DANIEL: Since you are a newspaper man, what do you think about the power of television? I mean, because he spent a lot of money on television. The power of television to persuade people of an image, even though there is no substance behind it.

GIB: I think the power of television of today is rather frightening. It used to be that if you got a newspaper's editorial endorsement, it was a meaningful thing in almost any part of the country. In this past election, Senator Morgan got every major newspaper in North Carolina and a great many of the smaller newspapers in North Carolina to endorse ^{him} ~~Senator Morgan~~ for reelection. Apparently that didn't mean a thing. I don't think ~~that~~ John East got a single endorsement editorially from any paper in the State, and yet by buying time on television ^{by} and spending two million dollars on television, by hammering home these distortions, misstatements, and lies, ^{ad} ~~odd~~ infinitum, apparently it was far more effective than ^{anything} the newspapers could do.

PETE DANIEL: Were people were just helpless before that kind of barrage, to think independently as in the past ^{when} ~~as~~ they would read a newspaper and think about issues and weigh them more carefully?

GIB: Well, I don't think people are reading newspapers like they use to, and I think even less of them are reading the editorial pages, and I just feel like this television is a monster we ^{we} created and we ^{just} don't know how to handle it yet. Apparently, the people who are opposed to ^{the} philosophies ^{that} seemed to prevail in this last election are going to have to find some way to combat this, but right now I don't know what it is.

PETE DANIEL: Maybe we ought to go back and ~~let me~~ let you talk about Robert Morgan, since you have known him for a long time and may ^{be} give an assesment of him as a politician and as a Senator.

~~PETE DANIEL: You want to take a break?~~

GIB: Yes, ~~let's do that.~~ I have known Robert Morgan intimately for ~~the~~ last six years, and I consider him to be an outstanding public servant. Some of his strengths, however, as far as his public image is concerned, are also some of his weaknesses and possibly contributed to his defeat in this election. As a United States Senator, Robert Morgan wanted to examine every side of each issue that came up before he would take a stand. This policy as opposed to some members of the Senate, such as our own Senator Jesse Helms, who would rush into print and on to television with a statement blasting the issue, which he would consider unpopular the minute it ^{was} proposed before looking at it closely. Senator Morgan wouldn't do this and sometimes would not make up his mind until shortly before a decision ^{going to be} was made, saying that he wanted to study all the issues involved in the question and wanted to hear the debate on the matter before he made the decision. [#] While this is commendable and while I think it is proper and prudent, it tended to make him appear indecisive in the eyes of a lot of people, and we got complaints that he appeared to an indecisive person when in a matter-of-fact, he was merely trying to be responsible and ~~tried~~ to examine all the sides of the issues. [#] As a politician, he is not a great speaker, but he is an effective speaker. [#] he is an extremely good one on one political operator, and I am satisfied if he could have sat down and talked to enough people during this last campaign ^T that he would have won, but unfortunately he couldn't do that, although ^T he talked to as many as ^{he} could. He is a ^{on} compassionate man and possibly hurt himself some with the voters, given their frame of mind right now, by his refusal to

condemn such things as welfare, food stamps, and other social programs which seemed to be ⁱⁿ ~~a~~ disfavor because ^{of} the fact people feel that their taxes are high and ~~that~~ inflation is cheapening their dollars ^{and} ~~and~~ although these were not politically popular this year, Senator Morgan refused to waiver ^{in his} ~~any~~ support of helping people who needed help, and I am afraid these people are in for a rough time with this ~~Senator~~ ^{Senate} that's coming in. ^{It} Just some examples of Senator Morgan's absolute belief ⁱⁿ ~~of~~ hearing all sides of an issue are one or two ~~examples that~~ ^{cases which} ~~have~~ happened during the past few years. There was a bill ^{which was} backed by ~~Organized~~ Labor, called the Labor Reform Bill, which was ^{probably} more bitterly fought by businessmen in the ~~Nation~~ and in North Carolina than ^a any other measure that arose during these ~~last~~ six years. Chambers of ~~Commerce, Business Associations, Industrialists,~~ even small businessmen ^{mounted} ~~merited~~ a concerted campaign all over the country and this included North Carolina ⁱⁿ ~~an~~ opposition to this bill. Senator Morgan was under heavy, ^{heavy} stress and under heavy, ^{heavy} pressure from these groups to oppose this bill from the start. He went before the ~~Chambers of Commerce~~ in various towns and spoke during this time, and during questions ^{and} answer sessions that followed. ^{immediately,} ~~the~~ questions would start pouring in about the Labor Reform Bill and what ~~was~~ his position on ~~it~~. He refused to commit himself even in view of this violent pressure until he had had a chance to look at the bill from every side and ^{from} every angle, ~~and~~ ~~this~~ brought him criticism, heavy criticism, ~~from business interests~~ from all over the ~~State~~. ^{It} I remember one day, the ~~President~~ of a large utility in North Carolina had one of his assistants ^{to} call me and tell me that it ~~is~~ ^{was} extremely

urgent that he see Senator Morgan that day, and that he had some news that the Senator would welcome. So I called Senator Morgan, ^{who} he was in Lillington, and he agreed to meet this man in his law office. The Utility President got out of his car, and walked into the office, and the first thing he said was, Robert, you have got to oppose this Labor Reform Bill. Well, this is not exactly what he had told me he had wanted with the Senator, and to the Senator's credit, he grew angry and told the man to leave his office. ¶ The Senator got upset several times by the pressure that was put on him, and at one point, I believe in Hickory, told the Chamber of Commerce up there that if they didn't want a Senator who could think for himself, then they better send somebody else to Washington, in the end he voted against the Labor Reform Bill because he didn't think it was in the National interest, and he thought it gave Labor too much power. But this is just one example of his insistence on studying an issue before taking a stand. He considered this responsible, I think its responsible, but it is not always popular. ¶ Another example of Senator Morgan's principle of looking at each side of an issue, which might have made he appear indecisive in some minds, was when the vote to extend the life of the equal rights amendment for another three years was brought before the Senate, the Equal Rights Amendments had been ratified by all but three states, and time was running out to get the additional three states that were needed. The legislation which was offered would have been to extend for three years, the time during which ratification could have been achieved. ¶ Senator Morgan had favored the Equal Rights Amendment from the start, but in this particular bill

there was an amendment offered which would have allowed ^{the} states which had already ratified the amendment to ~~have~~ changed their minds during this three year period. The opponents of ERA, including Senator Helms, the other North Carolina Senator, had blasted the extension from the start. Senator Morgan ~~had~~ favored the extension, but on the matter on what they called rescission, which would have allowed some of the ^{se} other states that had ratified the amendments to change their mind, he felt that if the legislatures in these states wanted to vote again and to withdraw the support that they had issued, that they ~~had the~~ ^{should have a} right to do so during this three year period. I happen to ~~have been~~ ^{be} sitting with Senator Morgan the day that the bell rang for ~~to~~ ^{me} vote on this question. Also present on that day ^{was} Charles B. Winberry, a Rocky Mount Attorney and a close associate of the Senator, ^{in fact,} he had managed the Senator's campaign in 1974 when he was elected to the Senate. Mr. Winberry and I urged the Senator to go down and vote to extend the life of the ERA and to allow it to have more time for ratification, but he told us, I am not sure its constitutional if we don't allow these other States to change their mind. ^{He} was aware of the intense political pressure that was being brought from both sides, and he knew that he was in a no win situation, ^{and} although his heart was with the proponents of ERA and had been from the start and his wife had campaigned actively for the ERA in North Carolina, he walked to the door and turned around and looked at me and he looked at Mr. Winberry and just shook his head, and then he walked on over to the Senate Chamber to vote. Well, Mr. Winberry looked at me and I looked at Mr. Winberry, and he said, how is he going to vote? and I said, I'll be damned if I know. Well, he went over and wrestled with

with his conscience and his conscience won, and he voted for what he thought was ^{the} a constitutional way to vote and voted against it, although he favored the ^{proposition} ~~proposition~~ generally. I think this is just ^{the} ~~to~~ measure of the man, he has always been strong for the constitution, and he doesn't believe in tampering with the constitution and putting in amendments to the constitution unless it is something very, very vital, but he feels like the constitution is the supreme law of this country, and he just couldn't go over there and vote for something that he felt was unconstitutional, ~~and~~ even though Mr. Winberry and I tried to tell him that the politically popular thing to do was to vote the other way, ~~and~~ ^{another} little added chapter to that story was that after the vote the television station had called and asked if they could interview the Senator out on the Capitol lawn, and he and I started over to the Capitol lawn to do the interview. On the way we met Mrs. Phyllis Shafly, who was the leader of the ^{anti-} ERA forces and still is, she saw the Senator and ran up threw her arms around him and said, oh thank you Senator for your vote, ~~and~~ ^{of} course, she didn't know that he had voted that way just because he felt the constitution was being violated. But to show you what ^e affect on him she had after she had ^{he looked at me and} walked off, ^{he} he said, who was that woman? One of the biggest disappointments Senator Morgan had during his six years was ^{the} ~~a~~ case of Charles B. Winberry, who had been his Campaign Manager. Mr. Winberry is a Rocky Mount Lawyer. Senator Morgan recommended him to be a Federal Judge in the United States, North Carolina Eastern District, there was a vacancy there, which was created by the retirement of Judge John Larkin, and also a new judgeship was created under the ^{OMNIBUS} ~~Onibus~~

Judge's Act a couple years before. Mr. Winberry's name was submitted to the Justice Department and to the President as Senator Morgan's recommendations for one of those Judgeships. The Federal Bureau of Investigation looked into Mr. Winberry's background and gave him a clean bill of health, the American Bar Association, ^{Committee,} which screens applicants for Judgeships, wrote a letter saying that they endorsed him, but then the President sent ^{the} a nomination over to the Senate Judiciary Committee, and that's where it ran into some trouble. The staff of the Judiciary Committee, it seemed, soon became opposed to Mr. Winberry's nomination, and some questions arose as to his role as an Attorney in some cigarette ^{smuggling} smoking cases. One of the defendants in a smuggling case had bragged to people in and around Wilson, that he had bribed Judge Larkins, who was the presiding Judge in the case, and that Mr. Winberry been ^{the conduit} a ~~con~~ to it, through which the money was given to Judge Larkins, the man had been given a suspended sentence.

The committee staff, which apparently did not want Mr. Winberry confirmed, set to work to defeat his nomination. The committee staff, which was pretty well running the Judiciary Committee since Senator Kennedy was out campaigning for President, soon became actively opposed to Senator Morgan's candidate for the Judgeship, Mr. Winberry. We had reports, which I believed to be true, that one of the investigators for the committee, a man named Carmine Bellino, made the statement in a staff meeting, "well, I don't care if we don't have proof, ~~if we don't have proof~~ he's a crooked son-of-a-bitch, and I'm going to get him." They got him. Two Senators, Senator Leahy, ^a Democrat from Vermont, and Senator Hatch, ^a Republican from Utah, were the two Senators who attended hearings on Mr. Winberry. The staff was able to bring up people who had been convicted of felonies, cigarette

smugglers, to testify ^{against} Mr. Winberry. No ^{substantive} ~~substandard~~ proof was ever offered that he had bribed Judge Larkins, and anybody that knows Judge Larkins would know what a silly thing that is because you couldn't bribe him with any amount of money. He had never had any blemish on his long, long career on the federal bench. There were allegations that Mr. Winberry had directed his client to withhold evidence; these were never proved, none of these allegations were ever proved, and yet ^a the coalition of Republicans, joined by a few Democrats was able to defeat the nomination in committee. ^{by} subsequently, Senator Morgan, who said that this action ~~of~~ the committee shook his faith in the system more than anything else that has happened to him while he was here, ^{asked} as the North Carolina Trial Lawyers ^{to} ~~do~~ take the case record and investigate it, examine it, and to write their opinion as to how the case was handled. They found that Mr. Winberry ^{had} ~~was~~ not ^{been} given fair treatment. One example of that was Senator Kennedy, who voted against Mr. Winberry by proxy, although he had never read the record and never been present at any of the hearings ~~and~~ hadn't even been to Washington. ^{It} This hurt Senator Morgan, I think more than any one thing that ~~has~~ happened to him during the six years he was here, because he felt ~~like~~ not only that his personal recommendation had been turned down, which was something of an insult, but that the whole system itself had been abused, and he ^{is} ~~was~~ a great believer in our system of government.

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