Interview with **David J. Vann**
November 1, 1985
Birmingham, Alabama
Production Team: C
Camera Rolls: 517-520
Sound Rolls: 1508-1510

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Note: These transcripts contain material that did not appear in the final program. Only text appearing in ***bold italics*** was used in the final version of *Eyes on the Prize.*

[Friday, November 1st, 1985. Team C. This is an interview, again in Birmingham, Alabama, with Mr. David J. Vann.]

00:00:02:00

[camera roll 517]

[sound roll 1508]

[sync tone]

CAMERA CREW MEMBER 1: OH, CAN YOU GIVE ME SECOND STICKS?

CAMERA CREW MEMBER 2: SECOND STICKS.

[sync tone]

Vann: What did that do for you, the stick?

INTERVIEWER: SYNCHRONIZES AUDIO AND SOUND.

Vann: Oh.

INTERVIEWER: OR, PICTURE.

CAMERA CREW MEMBER 1: OK, IT'S ALL YOURS.

INTERVIEWER: OK DAVID, JUST TO KIND OF GET THINGS STARTED HERE, WHAT I'D LIKE TO DO IS GO BACK TO ABOUT, PROBABLY ABOUT 1960, JUST BEFORE THE ARTICLES BY HARRISON SALISBURY, AND SAY, WAS BIRMINGHAM AS BAD AS PEOPLE SAID IT WAS?

Vann: Well, I don't really think that Birmingham was ever as bad as people said it was. I think, in many ways, Montgomery was a tougher town, Atlanta, in many ways, was a tougher town. The main difference between Birmingham and the other Southern cities was we had Bull Connor, who was a very colorful, proponent of racial segregation. And just the colorful way in which he expressed himself was really the principal difference between Birmingham and other cities. And I don't mean to say that it wasn't a strictly segregated city, ‘cause it was, but he was the main thing that made it so.

00:01:14:00

CAMERA CREW MEMBER 1: LET ME CUT FOR JUST ONE SECOND.

[cut]

CAMERA CREW MEMBER 1: MARKER.

[sync tone]

CAMERA CREW MEMBER 1: THANK YOU. [pause] OK, JIM.

INTERVIEWER: OK, LET'S JUST KINDA PICK UP ON THE MEDIA COVERAGE, THOUGH. THERE WERE THE HARRISON SALISBURY ARTICLES. WHAT WAS THE REACTION AROUND HERE TO THOSE?

Vann: Well, you know, like most cities, if you have stories like the Harrison Salisbury stories, and other stories that’s, were ran in the, I think _Collier's_ ran a story, CBS News ran a documentary, most people, are very protective. Oh, they're exaggerating, that's not true, very resentful, and I think you have to remember, that most people who lived in a racially segregated society had a routine in which they lived, and probably a large number of people really weren't particularly aware of, segregation. They simply went their road, and drove into town their way to come in and, worked in their office and thought very little about it. [pause] And they saw, what they saw, was a happy, prosperous, ongoing city, and to have people coming in saying terrible things about them, was pretty bitterly resented.

00:02:40:00

INTERVIEWER: THEN WHAT MADE PEOPLE SUDDENLY TAKE ACTION? I’M THINKING ABOUT SIDNEY SMYER REALIZING SOMETHING HAD TO BE CHANGED. WHAT CAUSED ALL THAT?

Vann: Well, I think the, the turning point with respect to Birmingham and the attitude of its leadership came with the Freedom Riders. When the Freedom Riders, started testing the bus stations, from Washington all the way through the South. When they entered Alabama, they were met by Klansmen that gouged and that burned one of the buses. Then they came on to Birmingham, and at Birmingham, it's pretty clear that the Police Commissioner withdrew police protection.

00:03:20:00

CAMERA CREW MEMBER 1: DARN IT. CUT.

[cut]

INTERVIEWER: THIS IS—

[sync tone]

INTERVEIWER:—HERE [inaudible]

CAMERA CREW MEMBER 1: OK.

INTERVIEWER: OK, DAVID, WHEN JOHN SAYS 'OK' WHY DON'T YOU JUST—

CAMERA CREW MEMBER 1: IT'S ALL YOURS.

00:3:33:00

INTERVIEWER: OK, WHY DON'T YOU JUST GO AHEAD AND, TAKE IT AGAIN.

Vann: Well, when the Freedom Riders came to Birmingham, and Bull Connor withdrew police protection, and allowed them to be beat up, and the, the police came in three minutes, they just let them have enough time, but they not only beat up Freedom Riders, they beat up Clancy Lake, a local radio newsman> They, they took a camera away from the Post-Herald photographer, opened it and exposed the film, and both newspapers came out with front page editorials, "Where were the Police". The picture that ran internationally was actually a picture that the Klansmen thought they had destroyed when they opened the camera, but it had already been rolled into the cartridge. And when that picture ran, it came out of Birmingham, by a Birmingham photographer, and it ran on the front page of newspapers around the world. In fact, there were a group of Birmingham businessmen from the Rotary Club, were in Tokyo, Japan, at a [sic] International Rotary Convention and that picture ran on the front page of Tokyo newspapers. And one of the gentlemen that was there in Tokyo was Sidney Smyer, who was the incoming president of the Birmingham Area Chamber of Commerce. And that picture, as much as anything else, I believe, convinced him that ***something had to be changed. The business community, when they had supported Bull Connor for election, they really hadn't intended for him to do things like the, allowing things like the bus station to have, to occur.*** And so when he got back to the United States, he formed a

committee made up of—

00:05:30:00

[cut]

CAMERA CREW MEMBER 1: SPEED. AND MARKER

[sync tone]

INTERVIEWER: [laughs]

[clanging in background]

CAMERA CREW MEMBER 1: LET'S SEE IF HE'S GOING TO STOP. [pause] THERE HE GOES. OK.

INTERVIEWER: OK.

CAMERA CREW MEMBER 2: THAT PUTS YOUR MAN IN TOKYO.

INTERVIEWER: OK, WHEN SID SMYER GOT BACK—

Vann: Well, when Sidney Smyer got back from Tokyo—

[clanging in background]

INTERVIEWER: IT'S OK, GO AHEAD. IF IT GETS REALLY BAD THEN—

Vann: That's alright.

INTERVIEWER:—WE'LL JUST STOP.

Vann: He, he formed a committee called—

00:06:05:00

INTERVIEWER: START THE SENTENCE OVER AGAIN, I'M SORRY.

Vann: OK, when Sidney Smyer returned from Tokyo, he formed a committee made up of senior partners in local law firms, the presidents of all the major manufacturing operations, the presiding judge of the state courts, and other community leaders—there were about four hundred in all, and they set about looking at the racial situation in Birmingham. They formed one committee that started meeting and talking with black leadership; they formed another committee to look at organization of government and political structures and political things that might be important; and they decided to ask the Birmingham Bar Association to make a

study of what kind of government would be best for Birmingham. In March of 1962, that committee recommended a change of the formal city government. They recommended that they go to the next legislature and get several amendments made to the law to raise the mayor's salary, give him a veto power, give him a Administrative Assistant outside Civil Service. Some of the members of that study committee began making speeches at civic clubs, and there'd be these intermittent stories in the newspaper. And I remember, in August, as I was driving into work one day, a local radio commentator who worked with WAPI news and ran a talk show at night, and in the morning he would usually do an editorial on something controversial to try to stir up people calling his program at night, and he came on the radio and said that, all this talk of changing the form of city government was alright, but people either ought to get behind the change, or they ought to get behind the government we have; that, it shouldn't be left as an unsettled thing. And I remember saying to myself, you know, he could stay up there on top of the mountain with his radio station and think about somebody going out and getting a petition with ten percent of the voters, and I knew what had happened in the past. One group had tried to put petitions out in drugstores, and the plainclothes policemen would just come by and pick them up. Or they'd sent, tried to do it on postcards and they, whoever the committee was lost them, and, but then I was the chairman of a committee called the Jefferson County Democratic Campaign Committee and we had our first reapportionment court order in June, and in, and in August we were electing our first new members of the legislature from this county, we had ten additional representatives who'd been awarded by the court. And our committee had been busy promoting this election, so the election was very much on my mind. And I said to myself, you know, if I could just have a petition booth, across the street from each election place, I believe I could get all the names I needed in, one single day. So I called up a member of the committee, Abe Berkowitz, and I said, Abe, do you really want to do it? I figured out how to do it. And Abe said, well, that sounds pretty good, let me talk to some businessmen. He called me back, fairly shortly, and said, a committee businessmen would like to talk to you this afternoon. And I said, well, how about letting me bring the President of the Birmingham Labor Council. He said, well, they had just been like to decide what they want to do and then see if they can get Labor to support it. And I said, well, you're going to need Labor support and you'd better have them in on making the original decision. So that afternoon, I arrived with the president of our, Labor Council, and we had representative of the Chamber of Commerce, the PTA Council, the Real Estate Board, and I presented my scheme for getting all the names in a single day. And, Sid Smyer was sort of the chairman of the meeting and he immediately said it was a good idea. And—

00:10:26:00

INTERVIEWER: I WONDER IF WE CAN KIND OF MOVE FORWARD JUST A LITTLE BIT NOW.

Vann: OK.

INTERVIEWER: WE'VE GOT THE, THE OPTION OF THE PETITION OUT HERE, SO I THINK WHAT WE NEED TO DO—

[cut]

[wild audio]

INTERVIEWER: —BECAUSE, I CAN'T REALLY BEGIN TO—

Vann: I got you. I understand you. Oh.

INTERVIEWER: —YOU'RE GIVING ME ALMOST MORE DETAIL THAN I CAN REALLY WORK INTO THE SHOW.

Vann: Okay, but again, Sid Smyer was, a very significant figure, in that, he took my idea as a young lawyer, we put it into a petition, we made the petition with snap-out carbons, that we had a whole campaign organized the minute we got the petition. And we got twelve thousand names almost in a single day and, had virtually a political revolution on our hands.

00:11:09:00

INTERVIEWER: NOW, PART OF THAT REVOLUTION, OF COURSE, WAS GOING TO MOVE TOWARD, OR TRYING, TO SET UP THAT NEW GOVERNMENT WHICH WOULD CHANGE THE, THE OFFICIALS—

Vann: That's right. Was, when the, when we got the petition, there then had to be an election to decide what kind of government the city would have, and if the people voted to change the government, it would change it immediately. The, the, as soon as you elected the new government, Bull Connor would cease to be the Police Commissioner, the other Commissioners would cease to be officials and a Mayor and nine Councilmen would take over the operation of the government of the City of Birmingham. And, although Mr. Connor ran for Mayor under the new form of government after the people voted for it, he was defeated by Albert Boutwell, former Lieutenant Governor of the state, a conservative figure, but a moderate and, and very great gentleman. And, I remember the day we swore the new government in, and here's the new day starting, the commission immediately announced they'd been elected for four years and wouldn't leave office. And then that afternoon, Dr. King announced that he has decided to go forward with racial demonstrations in Birmingham. So, in one, in a single day we instituted a new government, the old government refused to leave, and Dr. King and the SCLC began the Birmingham Marches. And ***the marches occurred almost entirely during the thirty-seven day period when Birmingham had two governments,*** and I mean it literally had two governments. If you went to see the Mayor, the secretary would say, which one? And Mayor Hanes was in one corner and Mayor Boutwell in the other. ***On Tuesdays, the, the, the commission met*** at nine o'clock and ***proceeded to govern the city, and when they finished, the, they would march out and nine council members would march in and they would proceed to adopt laws and spend money and conduct the affairs of the city.*** So you have in City Hall today, there are two sets of minutes of two governments.

00:13:21:00

INTERVIEWER: OK, LET'S JUST CUT—

CAMERA CREW MEMBER 1: I'M OUT OF STOCK.

[cut]

[slate]

[change to camera roll 518]

CAMERA CREW MEMBER 2: ROLLING.

CAMERA CREW MEMBER 1: OK.

[sync tone]

CAMERA CREW MEMBER 1: DOES INSURANCE GENERALLY—

INTERVIEWER: CHECK.

CAMERA CREW MEMBER 1: NINETY-EIGHT PERCENT SURE WE HAVE IT. NOT A PROBLEM, BUT I JUST WANT TO MAKE SURE WE DON'T LOSE IT. [pause] OK.

INTERVIEWER: OK, JUST GIVE ME A SUMMARY OF THAT NEW DAY IN BIRMINGHAM.

Vann: ***Well***, ***I remember now, the day we swore in the mayor,*** new mayor and council, and the headline said, "New Day for Birmingham," and ***before the day was over, we discovered we had two mayors, two city governments, and Dr. Martin Luther King and the SCLC starting marches up and down the street.*** At first, there was a lot of resentment, both in the black community and the white community. [pause] I remember, I felt, you know, that I had set out to prove what you could do through the democratic process, and how you could bring substantial change even in tough things like race, by vote of the people of the city. Some of the black leadership had worked hard on electing a new mayor, and defeating Connor, and they felt they had commitments from the new government, and Dr. King was trying to pick up their crackers you might say. But then, about a week or so later, [pause] Bull Connor, brought the police dogs to the scene of the marches, and he was also the head of the fire department, and he had the fire department and, and their hoses come to the scene of the march, and I remember I was talking to a black businessman on the telephone, ***and he was expressing a great deal of resentment about King coming in and messing up the thing, when, just when we were getting a new start, and then he said to me, he said, but Lawyer Vann said, they've turned tire hoses on a little black girl, they're rolling that little girl, right there in the middle of the street, now, I can't talk to you no more***, and there, in a, in a twinkling of an eye, the whole black community was instantaneously consolidated behind, behind King. They were no longer arguing among themselves. They were all, like one man,

behind Dr. King. And while many people probably think these marches took place over many blocks, very seldom did they march further than from 16th Street to 17th Street. ***And it was a masterpiece of the use of media to explain a cause to the general public of the nation, because in those days, you had fifteen minutes of national news and fifteen minutes of local news, and in marching only one block, they could get enough news film to fill all of the newscasts of all of the television stations in the United States***. And, of course, when the police dogs arrived and they started the hoses, with the, the water, that just created very dramatic, pictures that, there was no way Dr. King could have bought that kind of thing. I remember I was on a panel with Wyatt Tee Walker, who was one of King's strategists, and he said that, they tried to talk us out of starting the demonstrations and give the new government a chance, but we realized that this was our last chance to demonstrate against Bull Connor; and with his colorful language, and colorful expressions, we knew that sooner or later he would do something that would help our cause. And they were right, cause, the ball game was all over, once the hoses and the dogs brought, were brought forward.

00:17:12:00

INTERVIEWER: WELL, THEY WEREN'T QUITE ALL OVER BECAUSE AT THAT POINT IT DID CAUSE SUCH AN INTERNATIONAL STIR, AND CERTAINLY IN WASHINGTON IT CREATED SUCH EMBARRASSMENT THAT I BELIEVE BURKE MARSHALL WAS SENT IN TO NEGOTIATE SOME SORT OF A PEACE BETWEEN THE BUSINESS LEADERS AND THE BLACK, COMMUNITY, AND YOU WERE PART OF THAT NEGOTIATION.

Vann: Well, shortly after that, I got a call from a Vice President of Sears and Roebuck, asking me if—and they had a store downtown—if he thought I could put together a black committee, to meet with a white committee, and would I undertake negotiations? And I called Arthur Shores, and I said Arthur, I can get a white committee, can you get a black committee? And Arthur had been one of the principal civil rights lawyers here for many years, called me back shortly and said, yes, I can get a committee. And that night, we began meetings. And instead of two groups of people snarling at each other, you had a group of people from the white community, and a group of people from the black community, and we all knew we had a problem. This was our city, and we had to find some way to resolve it. We had Burke Marshall, who had been sent to Birmingham about that time, sitting in on our meetings, representing the President of the United States. We had, the executive secretary of the new mayor, sitting in our meetings representing the new government. We had businessmen that represented the business power structure of the city. ***And so we began analyzing, now, what are your problems, what are our problems? You've got to recognize, one, that we don't, that we don't have a government, we've got two governments. Neither of them can be effective. We've got to find a way to work this thing out within private sector formats***. And as soon as the—oh, and, by the way, Dr. King's representative in the meetings was Andrew Young, now the Mayor of Atlanta. So, as soon as we reached that point, which was during the first night, they went back to talk to their people, and the next morning I met with black, with white business leaders from downtown. They convinced King that, that instead of talking about schools and parks and black police officers, and other natural things that the black community wanted, that they, they had to start talking about the,

that the black people spend the same amount, spend the same kind of dollars downtown everybody else does; and talk about the signs, the black and white signs on drinking fountains, on dressing rooms; talk about employment of black people in the businesses where they spend their money. And King began, in his, he had a—every night, they had a sort of a pep rally kind of meeting at the 16th Street Baptist Church, where King would be the major speaker after a series of, of warm-up speakers. And, and over a period of only a few days, the tone of demands shifted to things that the business community could deal with. I would meet with the white businessmen and try to explain the format, and we began to look at the things—they had already made an agreement, some time before they hadn't been able to carry out, to take down the signs, and they were prevented from doing so because Connor let them know he'd arrest them if they took the signs down. On employment, they began to look at the people they had working for them, and one man says, well, my chief tailor is a black fellow, and he's, he's been working with my customers for years, they would think nothing of it if he all of a sudden appeared selling, instead of just tailoring. And someone else says, well, I've got a, an employee that I could promote, and—so I ended up, I think I had seven stores, that had, could work in some immediate black employment.

00:21:15:00

INTERVIEWER: LET ME JUST DROP, JUMP IN HERE A LITTLE BIT. WE OK ON FILM, OR?

CAMERA CREW MEMBER 1: Yes we are. We should have our—let me just stop to change the battery.

[cut]

CAMERA CREW MEMBER 2: OK. SPEED.

[sync tone]

CAMERA CREW MEMBER 1: THANK YOU. OK, JIM, IT'S ALL YOURS.

INTERVIEWER: OK. I HAVE HEARD THESE MEETINGS WENT ON, SOMETIMES, ALL NIGHT; THAT THEY WERE VERY INTENSE MEETINGS, AND I WOULD IMAGINE THINGS GOT KIND OF EMOTIONAL AT TIMES, BECAUSE YOU GOT VERY TIRED, AND YOU HAD THESE DEMONSTRATIONS GOING ON. WHAT, WHAT WAS THE FEELING LIKE, WHEN YOU GOT TOGETHER, AND YOU HAD ANDREW YOUNG THERE, AND YOU WERE THERE, AND YOU WERE TRYING TO RESOLVE THIS.

Vann: Well, I'd have to say that, contrary to what the public impression may have been, that while there were tensions in the meetings, in, in the discussion patterns, that basically we were made up primarily of people from both the black and white community trying to find a solution for our city. And I would say we worked out the basic format probably within the first three or four meetings. After that, though, we still had the problem that, by this time, the

schoolchildren had entered the demonstrations. And, with the peer pressure you have among schoolchildren, if you hadn't been arrested marching with Martin Luther King, you just didn't have much standing with, with your friends, and in your high school. And they had filled the Birmingham jail with kids, they had filled the county jail with kids, they had taken over the YMCA camp, YW-, I mean, the 4-H Club camp, at the, fairgrounds. The 4-H Camp at the fairgrounds had been filled with children. And by the time we got to a meeting with the senior citizens' committee, to review where we were and where things stood, the sheriff was, just, just plain told the businessmen that, if we don't do something, I'm going to have to put a barbed wire around Legion Field, and we'll just have to incarcerate these people in an open field, and that's not going to look very good on the inter-, on national television. [pause] Also, where King had very complete control of his demonstrators, he had a training program on how to do, and how to go limp, it you got arrested, and how not to strike back, and how to be completely, non-militant, and the youngsters weren't that well-trained. And, a group of them broke out of the march one day, and ran through downtown Birmingham. It was the only time the demonstrations actually got out of that small little place over by Kelly Ingram Park. And that was pretty frightening to some of the businessmen. They said if they, thought if that thing, kind of thing started happening, that, we could have a lot of trouble. But King wouldn't agree to, the, any of the demonstrations, while he had the, all these people in jail. And by this time—

[cut]

00:24:20:00

[wild audio]

Vann: —he had people from all over the country had come in here to get arrested with him.

CAMERA CREW MEMBER 1: AND, WE JUST ROLLED OUT.

[cut]

[slate]

[change to camera roll 519]

CAMERA CREW MEMBER 1: AND I HAVE—

[sync tone]

CAMERA CREW MEMBER 1: —OH, LET’S GIVE ME A SECOND STICK, PLEASE.

CAMERA CREW MEMBER 2: SECOND STICKS ON THIS.

[sync tone]

CAMERA CREW MEMBER 1: THANK YOU, SIR.

INTERVIEWER: I WOULD LIKE TO, ASK YOU, ABOUT SOMEONE, BECAUSE THERE'S A NAME THAT SEEMS TO BE KIND OF CONSPICUOUSLY MISSING IN, IN YOUR CONVERSATION, AND THAT'S THE NAME OF FRED SHUTTLESWORTH. [laughs]

Vann: [coughs]

INTERVIEWER: [laughs] YOU NERVOUS? [laughs]

Vann: Excuse me.

INTERVIEWER: YOU ALRIGHT? YOU WANT TO STOP DOWN HERE JUST A MOMENT?

CAMERA CREW MEMBER 1: CAN I GET YOU A GLASS OF WATER OR SOMETHING?

Vann: [pause] I think if I had my coffee cup, it's probably right up there—

[cut]

CAMERA CREW MEMBER 1: AND MARKER.

[sync tone]

CAMERA CREW MEMBER 1: GREAT. [pause] JIM, IT'S ALL YOURS.

INTERVIEWER: OK. FRED SHUTTLESWORTH.

Vann: Well, you know, Fred had been the head of the—I shouldn't say it that way. Well, Fred Shuttlesworth had been the principal civil rights activist leader in the City of Birmingham for a good number of years. And I think he was a little—

00:25:38:00

INTERVIEWER: CAN WE JUST STOP AND CORRECT HIS COLLAR HERE? I JUST HAPPENED TO NOTICE THAT.

[cut]

CAMERA CREW MEMBER 1: ROLLING, AND MARK THE STICK.

[sync tone]

INTERVIEWER: MOVE YOUR TIE WHILE WE'RE AT IT, HERE. MOVE ONE THING, YOU MESS UP SOMETHING ELSE.

CAMERA CREW MEMBER 2: OK. WE'RE ROLLING.

INTERVIEWER: OK. FRED. OH, I'M SORRY, ARE WE—

CAMERA CREW MEMBER 1: YEAH, WE'RE ALL SET.

Vann: Well, the Reverend Fred Shuttlesworth had been the principal civil rights leader here for a good number of years, and it's my understanding that he had invited Dr. King to come here. He was present at, least, some of our meetings, I don't recall how many, maybe all of them. But the primary actors were Andrew Young, who spoke for Dr. King, [pause] Harold Long, who was a Congregational minister here, who was the secretary of the meeting, and while there were, perhaps, a good bit of participation, I think that there really must have been some friction between the Shuttlesworth people and the King people. And I know that, ***after we reached a settlement—and it looks like a molehill today—to say that we were going to take down the signs, we would have a sixty-day cooling off period, and, and desegregate lunch counters, and begin a program of employment in downtown Birmingham, with at least three clerks hired. I think somebody in New York asked Reverend Shuttlesworth did he, why he would settle for just three clerks in downtown Birmingham, and he said, I meant three in every store. And, the thing almost came unglued.*** Shuttlesworth also put out pamphlets to, urging all of the children to boycott the schools, and I remember the Mayor's office called me, and I had a little office down in the old Empire Building, but, Bill Hamilton, who was the Mayor's Executive Secretary, asked me to meet him at the Episcopal Church, and I went up there, and he had these handbills that Reverend Shuttlesworth had put out to start the demonstrations all over again with the schoolchildren. And, I got on the phone and called Andrew Young in Atlanta, and I said, Andy, they've got handbills out here that we think break the agreement, and, we need to talk to you. And he got on a plane, he was, must have been here within two hours. He looked at the handbills and said, yes, this certainly violates our agreement for a sixty-day cooling off period. He got on the phone to Dr. King, and by five o'clock Dr. King was here. And he made a speech from the balcony of the Gaston Motel, with a courtyard full of high school kids, telling them that he wanted them to go back to school; he said, if we're going to have a new world, you're going to have to have an education to participate in it. And they were sort of hesitant to agree with him. You could see that they were enjoying their truancy. But, he kept going after them in his great, repetitive way, until he finally said, now, are you with me? And they all said, yes. And he had them all standing and cheering. And really that incident gave a lot of credibility to Dr. King, that, that he would back up an agreement that he had agreed to.

00:28:58:00

INTEVIEWER: WE TALKED TO ANDY YOUNG A COUPLE OF WEEKS AGO—I JUST WANT TO MENTION THIS, BECAUSE I'D LIKE TO HEAR WHAT YOU'D RESPOND TO IT—WHERE HE SAID IT GOT SO INTENSE ONE NIGHT WITH FRED SHUTTLESWORTH THAT HE SAID, FRED WAS STANDING THERE CUSSING,

DAVID WAS STANDING THERE CRYING, AND I DIDN'T KNOW WHAT WAS GOING TO HAPPEN, AND IT WAS SO INTENSE. YOU REMEMBER THAT PARTICULAR OCCASION? HE SAID HE PRACTICALLY HAD TO HOLD YOU APART, IT GOT SO BAD BETWEEN THE TWO OF YOU.

Vann: I'm going to have to say, I don't recall that incident. I won't say it didn't happen. I have sort of a one-track mind, when I get to working on something, I stay on it. But I don't really remember any friction with Fred. Now, I do think there was friction with Fred back in their headquarters. And, and I think, with all of the things that happened so fast and all that, I'm sure, when I was back in meetings with the white businessmen, Andy was back in meetings with all of these other people, and I'm sure that tension—

INTERVIEWER: OK, I THINK YOU REALLY—

Vann:—did develop—

INTERVIEWER: —DESCRIBED QUITE A BIT OF THE EVENINGS SO LET'S NOT BELABOR THAT. I'D, LET ME JUST GO ON—

Vann: Let me tell you one other thing about Andy, though.

00:30:03

CAMERA CREW MEMBER 1: HANG ON, JUST A SECOND HERE. OK.

Vann: I met with Dr. King in a private home, of John Drew. And we presented the settlement proposition to him. And he said that he thought, that, that he was, he, he really thought that that was a great achievement. And I remember him looking out the window and saying, I believe we'll all live to see the day when Birmingham becomes the good, the symbol of good race, good race relations in America. But, he said, he couldn't agree as long as the, jails were full. And, I think Robert Kennedy arranged for the auto workers' union to loan a local bonding company some $300,000, to put up as security, but the loan came as a loan to me. And Erskine Smith, another young lawyer, and it was seven years, I think, before that was ever cleared up, and I was signed on a note for $300,000, which was put in a CD, and then the CD was used as the security, so we felt fairly safe, but the money couldn't be sent back to the auto workers until we had all these bonds cleared, and people had given fictitious names, fictitious addresses, and you know it was just a, it was a mess that almost never got cleared up, but I think finally, about seven years later, I was freed from that obligation. But after we had the, after we had all the people out of jail, then the question came, who's going to announce this? And I remember a room full of businessmen, I was with them, nobody was eager to go out and be the one who announced it publicly. And by God, Sid Smyers says, if nobody else will do it, I'll do it. And he took it like that, you know. And we set up a, system where Smyer would have us, press conference to announce the settlement, King would have a press conference, and I was in a little room in the Bankhead Hotel, and if King couldn't live with what Smyers said, Andrew Young was to call me, and we would get a supplemental statement from Smyer. If King said something that we absolutely couldn't live with, I was to

call Andrew Young, and get a supplemental statement from King. As it turned out both men did their thing, and no supplemental statements were necessary.

00:32:25:00

INTERVIEWER: LET'S JUMP AHEAD TWO MONTHS. A LOT OF THINGS SEEMED TO BE SETTLED DOWN, AND THEN ALL OF A SUDDEN THE—

CAMERA CREW MEMBER 1: CAN I HAVE YOU, EXCUSE ME, CAN I HAVE YOU TURN THE CHAIR BACK AROUND—

Vann: Yeah. [laughs] I know—

CAMERA CREW MEMBER 1: JUST A LITTLE.

Vann: I just turned—

CAMERA CREW MEMBER 1: [inaudible]

Vann:—unconsciously.

INTERVIEWER: I'D LIKE TO ASK YOU ABOUT THE DAY THE SIXTEENTH STREET CHURCH WAS BOMBED. WHAT DO YOU REMEMBER ABOUT THAT DAY?

Vann: Well, I first learned of the bombing of the 16th Street Baptist Church at just about five minutes to noon, when I was leaving, my church on the south side, Highland Methodist, and someone was there, that I don't, I have a feeling someone from the Mayor's office was there, cause Mayor Boutwell belonged to the same church I did, and said that there'd been this bombing at the church. I got in my car, and I immediately drove down to see what had happened, and they had it blocked off, all roads blocked off a block away, so you couldn't get within a block. And I remember, I was driving south on 19th Street, which was two blocks from the church, and there on the corner stood Mr. Chambliss, a known Klansman, watching all of the commotion and excitement and fire trucks and things that were coming and going. And I remember then, thinking that he looked like a fire bug watching his fire. And of course, several years later he was convicted of being a participant in the bombing.

00:34:04:00

INTERVIEWER: IT WAS A LONG TIME BEFORE HE WAS BROUGHT TO TRIAL, BUT WHY?

Vann: Well, the, one of the main reasons it was a long time before he was brought to trial is the FBI was called in by the city to do the initial investigation, and there was such a degree of distrust between the Birmingham Police Department and the FBI, that the, FBI and the Justice Department would never give any of the records to, to either the State of Alabama or

the City of Birmingham. And, of course, I, having been a counter-intelligence agent myself, I know the policy of protecting informants had a great deal to do with the FBI policy in those days. But it wasn't until after Jimmy Carter became President, the Attorney General of the state, Bill Baxley, and myself, put all the pressure we could on the new Attorney General, and they did agree to allow a review of those records, by the state Attorney General's office, and within about six months, prosecution was begun of Mr. Chambliss. Unfortunately, in the meantime, the FBI at least claimed that they had lost a lot of their records, and most of the physical evidence which the FBI collected at the scene that day, was nowhere to be found. I think that if that FBI policy had been different—

00:35:30:00

[cut]

[wild audio]

CAMERA CREW MEMBER 1: OOPS. HANG ON, I THOUGHT WE WERE GOING TO MAKE IT TO THE END OF THAT SENTENCE.

CAMERA CREW MEMBER 2: WE DID, ACTUALLY.

INTERVIEWER: ACTUALLY, WE DID.

[cut]

[slate]

[change to camera roll 520]

CAMERA CREW MEMBER 2: I HAVE SPEED.

CAMERA CREW MEMBER 1: ROLLING. AND MARKER.

[sync tone]

CAMERA CREW MEMBER 1: GIVE ME ONE SECOND TO GET SETTLED HERE. OK—

INTERVIEWER: OK.

CAMERA CREW MEMBER 1: —I'M SETTLED.

INTERVIEWER: THE QUESTION WE'D LIKE TO EXPLORE A LITTLE BIT IS, JUST GOING BACK TO THE DAYS OF SEGREGATION AGAIN AND, WHY WAS SEGREGATION SO HARD FOR PEOPLE TO END, TO BE WILLING TO ACCEPT? WHAT WAS, WHAT WAS GOING TO BE LOST BY IT, DID THEY, DID PEOPLE

THINK?

Vann: Well, I guess it's human nature to have distrust, or dislike people that are different than you. Tribes, in anthropological situations, show a similar thing. We see similar things between religious groups, in various parts of the world. But you had a society where people had grown up in it. And ever since the Supreme Court, in the Plessy case, back in the beginning of the century, had put the blessings Of the Supreme Court of the United States on separate-but-equal, you had a whole section of the country that, had adopted, laws, and they were adopted at the time when, I guess, many people thought of black people as being, as still being slaves, or their former slaves. You had people who had fought in the Civil War, and bled and died to preserve customs. You had, [pause] broad accepted practices, and I think a lot of people forget that the city of Washington, D.C., the capital of this country, was as segregated a city as Birmingham, Alabama, just up till, a few years before this. And in that society, white people felt comfortable where they were, and most black people were adjusted to it, or appeared to be, the, to the white people. They'd say, oh, look how happy they are, you know, and how well we didn't know, but, I don't think it's, too different from things that have happened in other, cultures, in other societies. But it is very hard. I know, my children would have a hard time believing today that you put somebody in jail for drinking at the wrong drinking fountain. But people had, at that point, led to believe that if they drank from the same fountain, they would get diseases, you know? And people had been instilled with, personal fears, you've seen some of that with the AIDS thing today. I mean people are just, just—that, that kind of fear.

00:38:18:00

INTERVIEWER: WHERE, WHERE IN YOUR LIFE DID YOU CHANGE YOUR, YOUR THINKING OR HOW, WHAT—YOU, YOU WERE USUALLY ON THE RIGHT SIDE OF ALL OF THESE THINGS AS WE PERCEIVE IT NOW.

Vann: Well, for one thing I grew up in a college town, Auburn, where you had people from all over the United States on the faculty, also you had—I, I'm sure I was exposed to a lot of different thoughts. We had black servants in our home. I always had, you know, great relations—I mean, some of the most important people in my life were Hattie and Annie, two of our servants that worked for us. I started college when I was sixteen at the University of Colorado, and my brother-in-law had a black student in his organ, that he taught organ, who was the valedictorian of his class in high school, the top of his class when he graduated from the University of Colorado. And I remember my sister, we went over to their house, and had dinner one night. I'm sure I was affected by that. In college [pause] I think I have to say, let me say this. I think there was a fairly broad movement, within the South itself, in the late '30s, '40s, to, correct some of the things, that, that were wrong about segregation, or the most obvious. And as a student at the University of Alabama, in the late '40s, my Methodist student group, we had bi-racial meetings, every month or so. We went out to the black college there, Stillman College, Presbyterian College [sic], and I knew black students at that college, although they didn't go to my college. And I think religious motivations, through the Methodist Church, had a lot to do with it.

00:40:26:00

INTERVIEWER: WELL, LET ME JUST MOVE FOREWARD THEN, BECAUSE YOU OBVIOUSLY HAD THESE DEEP FEELINGS THAT YOU WERE VERY INSTRUMENTAL IN DETERMINING WHAT YOU'D [inaudible]—

Vann: Well, also in the '50s, let me say this, when I, when I came back to Birmingham—of course, I lived with Justice, I was Justice Black's law clerk, I lived with him during the time that the school, the big school decision was being reached. Never discussed it with him until after it was decided. The law clerks were afraid of a news leak, and they had asked the justices not to discuss that case with them, and no law clerks worked on it except Justice Warren's law clerk. I remember, on weekends frequently, toward the end of April, beginning of May, Warren's clerks would come out to the house on South Lee, with a brown envelope for the judge, which I would deliver to him, he would go up to his study. [pause] I never asked him what was in there. We had dinner every Sunday night, breakfast every morning, we never discussed it. In fact, the day the case came down, I drove the Justice to the court—court met at noon, in those days, and right about five minutes to noon, I stuck my head in Justice Black's office, and said, Judge, anything I can do for you before you go on the bench? He said, no. I said, well I think I'll go to, lunch, if it's all right. He said, that's fine. And I started down the hall. I went into Justice Jackson's law clerk's office, and I said, Barry, let's go to lunch. And he said, I can't. He said, my judge is here. And I looked through his door, and I could see into Justice Jackson's chambers, and they were robing Justice Jackson in his chambers. Well, Justice Jackson'd had a heart attack. I knew he had been in the hospital. And I said, they wouldn't bring him from the hospital, robe him in his chambers, unless something very important was about to happen, and they wanted all nine justices on the bench. So, I rushed downstairs, and said to the other law clerks, in the law clerk's dining room, let's go up, they're fixing to hand down the school cases. How do you know? I said, Justice Jackson's here, and I can't think of any other reason they would bring him from the hospital to the court. And some of the clerks said, no, my judge would have told me. Mrs. Reed's not here, nothing important ever happens unless Mrs. Reed's here. And so, I think only six of us went upstairs, and heard the Chief Justice say, I have the Court's opinion today in cases 1, 3, 4, 5 and 7. And he began reading Brown against The Board of Education. I later talked to Justice Black, and, I think he really thought that it would take this country at least twenty years before you really have an acceptance of the concepts that were embedded in that opinion. Course he had grown up in the South. He had black servants, he had black people that were part of his life, right up to the day of his death, on a family basis, not inconsistent with old Southern practices, although he treated them very differently. I'm sure all these things come into it.

00:43:36:00

INTERVIEWER: [inaudible] WELL, SINCE YOU DID ALL THESE THINGS WHEN, YOU CHANGED THE GOVERNMENT AROUND, NEW MAYOR IN, AND SUDDENLY KING COMES AND STAGES HIS DEMONSTRATIONS—

Vann: Yeah, I was upset with him.

INTERVIEWER: YEAH, YOU, BECAUSE IT MADE IT LOOK LIKE ALL OF BIRMINGHAM WAS A BUNCH OF RACISTS. YOU MUST HAVE TAKEN THAT AS A PERSONAL AFFRONT PRACTICALLY.

CAMERA CREW MEMBER 2: JIM?

INTERVIEWER: YEAH?

CAMERA CREW MEMBER 2: I'D LIKE TO CHANGE—

00:43:56:00

[cut]

CAMERA CREW MEMBER 2: I'M ROLLING. I HAVE SPEED.

[sync tone]

CAMERA CREW MEMBER 1: MARKER. [pause] JIM, IT'S ALL YOURS.

INTERVIEWER: OK, IT JUST SEEMED TO ME VERY NATURAL THAT YOU WOULD HAVE BEEN VERY UPSET WITH KING, BECAUSE HE REALLY DID MAKE BIRMINGHAM LOOK VERY BAD AND YOU WERE CERTAINLY NOT BAD.

Vann: Well, that, I want to make it clear. I wasn't mad at Dr. King because he made Birmingham look bad. ***I was upset with Dr. King because he wouldn't give us a chance to prove what we could do through the political processes. And a year and a day after Connor had been elected with the largest vote in history, we, a majority of the people of this city voted to terminate his office. And when he ran for mayor they, they rejected him.*** And we felt that our next step, we had met with black leaders. Mayor Boutwell had made very definite commitments on hiring of black police officers, participation in government by the black community; and we really felt it was most unfair not to let us prove what we could do with the political process. I became philosophical about it later and realized that King's campaign wasn't a campaign against Birmingham. It was a campaign—not even against the South. It was a campaign against America. Because what was done, by law in Alabama was done de facto in New York, and Chicago, and Detroit, and San Francisco, and throughout this country. In fact, I think the experience we had in resolving these problems, and, and beginning a process of local resolving them, created a bond between white people and black people in this city, unlike any other city in the country. When Dr. King was assassinated, all across this country, starting in Washington all the way to Watts, cities burned. People were so angry, they burned cities down. In Birmingham, we had a memorial march the next morning from the 16th Street Baptist Church to the steps of the Jefferson county courthouse, with white Bishops and black Bishops and leaders of the government, marching together in commemoration of the loss of a man who had been very important in the history of our city. Attitudes had really changed dramatically, and I think the fact that there was virtually no

violence in this city in the reflection of the assassination, and particularly when the word came out later that the gun might have even been secured right here in Birmingham that assassinated him—I think those reactions, really, [pause]—

[cut]

[wild audio]

—demonstrated the tremendous depth of effort that had gone throughout this community.

CAMERA CREW MEMBER 1: JUST RAN OUT.

[cut]

[end interview]

00:46:47:00

Subjects: