

SRC 27

Interviewee: George Barrett

Interviewer: Ben Houston

Date: June 27-28, 2003

H: It is June 27, 2003, and I'm in the offices of Mr. George Barrett. Thank you very much for meeting with me, sir. Why don't we start off with asking when and where you were born.

B: I was born here.

H: You're a long-time Nashville citizen.

B: Long-time. I can look out my window, before they built that football stadium, see where I was raised, right across the river.

H: Did you go to school locally in Nashville?

B: I went to parochial schools. I went to Holy Name and Father Ryan High School. Then, I went into the service for three years and got out and went to Springfield College, which is a Jesuit school in Mobile, Alabama. Then, I went to Oxford for a year and then I worked for Estes Kefauver [Tennessee senator] for a year, and then I went to law school.

H: Where did you go to law school?

B: I went to Vanderbilt. Yeah, I was in the service three years between high school and college.

H: When did you finish up at Vanderbilt?

B: 1957.

H: If you would, describe Nashville in the 1950s at this time?

B: It was called the brother-in-law town, if you didn't have a brother-in-law, you wouldn't get very far. It was small. It was mainly white Anglo-Saxon Protestant. If you were Irish, you'd tell people when they got through throwing rocks at African Americans and they'd throw them at us. The difference was, we'd throw them back.

H: The Irish were not trained in non-violence.

B: The Irish were not schooled in non-violence, anything but. There was a great deal of discrimination, racially and religiously. There were only two places you

could really go to work. In the early part of the twentieth century, up until World War II came, everybody was glad to get anybody to work. You either went to work for old man Walsh or old man Gallagher's plumbing shop or you went to work for the railroad. I'm the first male Barrett in three generations not to work for the railroad. So, I didn't have any stake in the establishment and I didn't see they were doing a hell of a lot for me. Being raised in that, we were very active politically. I was raised in a working-class family. My uncle started a plumber's union; my mother and father both lost their job in the Great Railroad Strike after World War I. Women were never hired back, that was [because] the railroad [wanted to] get rid of women that they had to hire during the First World War. We were of course yellow-dog Democrats, so I was raised in that sort of climate of the working-class philosophy.

H: How would you describe, especially to a younger person like me that takes it for granted, how would you describe the segregation of this time period, especially in Nashville?

B: Well, I think about how that relates to my children. My children might be a little older than you, at least two of them are. They cannot imagine what it was like. South Africans, the apartheid was learned from us, I think. There was no place to eat, no place to stay, no place to shop, no movies to go to. They needed to have movies, [they] didn't have television. Riding on the back of the streetcar or the bus, going to inferior schools. I remember they had a back entrance at old Paramount Theater, which was a movie house, that blacks sat up in the peanut gallery, literally, they couldn't even go in the same entrance. No social intercourse at all. They were relegated to all of the menial jobs, which just reinforced [the] stereotyping [of] people. You look around today, you just can't imagine what it was like. I remember Mrs. Charles Johnson, who was Charles Johnson's [prominent African American sociologist and president of Fisk University] widow, she helped organize this. When he died, they built a home there right off the Fisk campus. She talked about those young students coming from Nashville, and they were of course very sort of black bourgeois, but they were just sort of confined to that campus. They couldn't go downtown, they couldn't go to the theater. [Although] there was a great deal of prejudice against Catholics, it wasn't nearly the extent of [prejudice towards] African Americans.

H: Was the anti-Irish feeling religious-based or class-based?

B: Religious. This is the buckle on the Bible Belt.

H: I understand that you were very much influenced by Matt Lynch and Cecil Brandstetter. Can you talk about those two gentlemen in some way?

B: Well, Matt Lynch was a labor leader from Chattanooga. He'd been a hosiery

worker and helped organize some of the textile industry in the South. He went off to World War II, came back and went to work in the labor movement, organizing and running what was then called the Tennessee Industrial Union Council, which was the old CIO [Congress of Industrial Organizations] state labor council as distinguished from the AFL [American Federation of Labor]. Two summers, when I was in college, I had worked out in the Midwest at harvesting the crops. Of course, that's when they imported Mexicans and they would just import these men to harvest these crops and they would end up living in warehouses, intolerable, unbelievable conditions. This was late 1940s, early 1950s. The next year, my junior year, I wanted to work in the labor movement. Matt was the executive director of what was called the Tennessee State Industrial Union Council. He was Irish, of course, from Chattanooga. There was a priest who was the assistant pastor at Holy Name where I went to church. I was talking to him, he was a sociologist interested in the labor movement. When I grew up, the role of the church in forming and in fostering the labor movement was tremendous. They had what they called labor priests whose job it was to educate trade unionists, they ran labor schools. They've gotten middle-class now, forgotten where they came from. He was a sociologist and was interested in the labor movement. I was telling him about my interest and he knew Matt, because Matt was from Chattanooga and he was a native of Chattanooga, so he called Matt and asked him, would he take me on for the summer, which is what he did. I worked for him that summer and then I worked for him every summer through law school, until I finished law school, except for the time I got back from Europe in 1953. Kefauver was going to be up for reelection in 1954, that's the senator who broke the back of the Crump organization [political machine based in Memphis] in Tennessee politically in 1948. So, he was very liberal senator. He refused to sign the Southern Manifesto. He was the only senator, including Hubert Humphrey, who voted against outlawing the Communist Party in 1954 when he was facing tough opposition in reelection. Matt knew [Kefauver] was going to have a hard time winning, [since] he had a very sincere interest in the working people. When I got back from Europe at Thanksgiving, they put me to work in the Kefauver campaign. So I worked for Estes. The primary was in August, there were no Republicans in Tennessee, if you won the primary, that was it, and I [went] from there to law school.

H: Tell me about Cecil Brandstetter.

B: Cecil was the first person I practiced law with. I had known Cecil before I went to law school, because he'd served in the legislature and had been very sympathetic towards organized labor and represented a number of unions. I went to law school to be a labor lawyer. Cecil was the only labor lawyer in town, he was the only show in town, and I went to work for him when I graduated from law school. I worked for him for three or four years. We tried the Highlander Folk School [case], he tried it and I helped him. He was involved in a lot of labor

litigation, and I worked for him three or four years.

H: How, then, did you come to be involved in interracial work in Nashville?

B: Well, I came to be involved through Matt, mainly. I was in law school right there at Vanderbilt, and one of the few places that you could have an integrated meal was [at] the Methodist Board of Higher Education, which is out there in that complex of building offices right out there at campus. He got a letter from, I believe, the SRC [Southern Regional Council] saying they were interested in forming some human relations councils in the states. This would have been right around the time of [the] *Brown* [decision] in 1954 [or] 1955 when I was in law school. They wanted to have a series of meetings for discussions, they wanted labor's voice at the table. I hung around with Matt a lot, hung around the office. [He was] a very, very intelligent man, very interesting, very working-class, very down-to-earth. Extremely well-read and he encouraged young people. He said, you're out there at law school and they're going to be meeting there next door, would you go and sort of represent my interests and keep me posted on what's going on? So, I started going to these monthly meetings to talk about forming a human relations group, what its purpose would be, [could it bring] good people [together], that sort of thing. As I say, SRC, I don't know that Harold was running it then, Harold Fleming. You might want to look at his book, if you haven't seen it, but he died a couple of years ago, Les [Dunbar] took his place. Fleming went to Washington when Kennedy was elected President. He went to work for the Potomac Institute to recruit people for the Kennedy Administration. I don't know what positions, but [for] the Kennedy Administration. I got interested in it that way. The first African Americans I knew on an equal footing was in the service. I was raised around here, I'd never seen an educated African American, and here comes some kid in the service that finished two years at Yale. I'd just gotten out of high school. I don't even remember his name, but that's how I got started with it, so that grew. I had done some work. One of my jobs during the summer was Highlander Folk School, down in Monteagle, would have these two-week labor schools. One of my jobs was, I either went to Chattanooga and picked up people who came in to speak, or I could come to Nashville and pick up people who came down to speak. You had everybody from the liberal establishment. Myles [Horton, who ran Highlander] had a very high profile and it was very well known. People were interested. Septima Clark started the literacy program in South Carolina. Rosa Parks went there; M. L. King went there. Myles [Horton] was interested in non-violent, just social change. He was interested in labor and interested in race relations. He was a man really ahead of his time. So, one of my jobs was, I'd hang around. I'd go down there and stay at the Highlander for the labor school, and I would go to Nashville and pick up somebody coming in or go to Chattanooga to pick them up and take them up to Highlander and back to the airport. So I was a glorified gofer.

H: The TCHR [Tennessee Council on Human Relations], as your involvement began to increase, what role did they play in Nashville's school integration crisis? That was just as you were finishing up law school.

B: Let me say, it had some prominent people in it, some influential people in it. It had Walter Sharp, an art professor at Vanderbilt, who married Hulda Cheek. Cheekwood was her home, the Botanical Gardens here. You couldn't very well ignore people like that. You had Blanche Festerwald, who's now deceased, whose husband was a merchant in downtown Nashville, Burke's, which was one of the premier men's stores in Nashville. You had Maclin Davis Sr., who was a lawyer who became an Episcopal priest. That's an established family in town. You had Mrs. Hugh Morgan, Dr. Hugh Morgan's wife. Well, he was a very important figure in the medical school, and in the medical world of this country. I think he was assistant surgeon general or surgeon general in the war. I mean Dr. Morgan is a huge man in stature, wise and influential. You had some of those people like that that had access to the power members of the community. We had a little trouble here. We didn't have anything near as bad as they had in Little Rock or Mississippi or some of those other places. We had scares and threats.

H: What about John Kasper?

B: Kasper came, yeah. I was working on voter registration drive, getting labor union memberships and going to the county registrars' office to see who was registered to vote to get our membership in anticipation. I was coming out of Clinton [in northeastern Tennessee; site of racial riot in September 1957] when Joe Henry, who was then adjutant general, thought he was George Patton. He was riding up on front of that damn tank. Frank Clement, who was governor, whose son is a judge here, had called out the National Guard from Oak Ridge. So the role they played was trying to persuade people who thought it was going to be the end of world. You know, the world wasn't going to collapse. They started what was called the Nashville Plan, which was [to] integrate the first grade, and this would have taken twelve years. Then that grade would have been integrated, that first grade would be integrated, and then the second grade next year, and then, etc. That was called the Nashville Plan. Cecil Sims, who's a very prominent lawyer, well, one of the founders of Bass Berry & Sims, which is sort of the crusty law firm in Nashville.

H: That was his idea, the grade-per-year plan?

B: Pretty much so, yeah, he was lawyer to the school board. You had several factors that were important. You had a highly intelligent African American population. You had Fisk University, you had Tennessee State University, and you had the Meharry Medical College. African Americans were voting here

before the turn of the twentieth century. So, you had politically astute, highly educated African Americans. That's distinguished from Memphis, where you had mostly sharecroppers, tenants, not even sharecroppers. [There were] African Americans who worked in rural West Tennessee and Mississippi where the economy was mainly cotton. [Memphis] was a cotton community, so you had that. You had a number of religious institutions [in Nashville] that were pretty liberal like Methodists, one of the branches of the Presbyterian church, so you had that mix in there. Where you had a lot of Methodists institutions, Board of Higher Education, Board of Evangelism, Board of Missions. So you had that voice in the community. You had the United Church Women, Gertrude McCall was president of that, her husband was a very prominent lawyer. That's what you had going here, which you didn't have in a lot of other cities. You had nothing like that in Memphis. Here you had something similar with Atlanta. Atlanta had a hell of an aggressive mayor, Hartsfield, "the city too busy to hate."

H: Do you feel that all these people involved with the TCHR were able to really influence...?

B: I know they did.

H: The reason why I ask is because some other people have suggested that the TCHR mostly had sort of a social function, it was a way for interracial meetings and tea parties and such.

B: No, it was more than that. Well, there was more difficulty in the city than we [had] in schools.

[Interruption in recording]

B: . . . it made associations with African Americans respectable in terms that there were some people who did socialize together. We did have dinners, meetings, but it was more than just a tea club. I think we displayed it with Ben West, when he was mayor [and formed] the first bi-racial committee in the South. That deals with the city. I think some of us persuaded Frank Clement, who was governor, to appoint a state human rights commission by executive order. You know you had people like Matt [Lynch] who were very politically sophisticated and Stan Smith, who was president of the AFL, that's the Tennessee Federation of Labor as it was called and then they merged. So, you had people who were politically sophisticated and who were financially [and] socially influential. The Festerwalds were big supporters of the Symphony. I remember Blanche[Festerwald] and I met with the symphony, and Walter was one of the founders of it, who tried to get them to integrate the musicians. I think a lot of people could have perceived it as a little tea drinking social club, having crumpets and tea together.

H: That would be a misnomer.

B: I think it would. Of course, everybody thinks he's more important than he is.

H: There's that, I suppose. This is perhaps getting a little bit away from Nashville, but I know that you were very much involved with the VEP [Voter Education Project], could you talk about how you came to be involved with that? This is a little later, I presume.

B: I may not be completely accurate. My understand is that SRC, in anticipation of *Brown* and the social changes that were coming in the South, the rapidity of which they were coming, sought to establish a series of human relations commissions in various Southern states. They got some money, and I think some of the first money they got was from the Ford Foundation. That's how I met Harold Fleming and Les Dunbar. I was active politically as a young lawyer and somebody who had one foot in the labor camp [and] one foot in the legal camp. I have worked in the Gore campaign, the first senatorial campaign, the father of the vice-president. He was just in the House [of Representatives] then, and I suppose that was 1952. That was when I was about two or three years old. That's how I met Burke Marshall. He was first secretary assistant for civil rights, met Bobby Kennedy. Met the president. Well, I had met the president before, but I was perhaps, at that founding conference for the Lawyer's Committee on Civil Rights, I bet I was the youngest person there.

H: Really?

B: Well, yeah, look at the pictures. I had hair.

H: You do look rather young and sprightly compared to some of these others. [talking about a picture they're looking at.]

B: I never had been big establishment [person]. Establishment hasn't done a lot for me. I believe the law to be a real significant means of achieving social change through litigation. I had got to meet Les and Harold when I was just getting out of law school. They'd come up here and we'd talk about what needed to be done and all that sort of thing. So, when I left Cecil [Brandstetter] and decided to go out on my own, which was about 1961 or 1962, I was scrounging around. I didn't have [many clients], quite honestly. [The SEC] employed me to do some advising with them. I remember there used to be annual conferences, which the Phelps-Stokes Foundation owned the house on the bay, the Chesapeake Bay in Northern Virginia. That was a big conference every year. John Hope Franklin, Vivian Henderson and Herman Long and all those people [were there]. I'd been asked to speak a couple of times at the Race Relations Institute when it was very big at Fisk. I was invited to some conference, that's where I met Harris Wofford.

He was Kennedy's advisor on civil rights. The first thing he told me [was that,] he was in the same car as I was, this is 1959 before Kennedy was elected. He said, you should vote for Kennedy. I said, what are you going to do about this J. Edgar Hoover? [He said,] we're going to fire him. Not quite. So I was going to those conferences. I remember telling Harris, Seig [John Seigenthaler] was at some of them, I said if you really want to change the South, get the people – they call them Negro, they wouldn't call them black, they wouldn't call them Americans, they would call them Negroes or something – get Negroes registered to vote. It did change that. It changed the politics. So, I was always on that drumbeat. I've worked in the labor movement, it was interesting getting the trade unionists registered to vote. I spent a year working for Estes [Kefauver], and my job for Estes was visiting local unions and getting them cranked up for the election. So I was tuned into that from what I'd done in my own experience and that sort of thing. I kept telling them, if you really want to change the politics of the South, get people registered to vote. Out of that evolved the Voter Education Project. I was a registered Democrat and they got Wiley [Branton] from Arkansas, who was a Republican lawyer. He and I set the thing up. Hired Vernon Jordan, [he] was a young man, and [we] operated out of SRC out of Atlanta and bummed the money. Will Campbell went with me to get some money. We bummed some from a foundation in New Orleans, they owned Maison Blanc [department store].

H: Field Foundation?

B: No, Field was a big supporter of SRC, and Les went from SRC to the Field Foundation, that's Marshall Field's money in Chicago. We got Mellon's money, Mellon Foundation; we got some money from Ford Foundation; the family that owned Maison Blanc in New Orleans that set up a foundation, we got some money from them for voter education, training people to go into those communities and register people to vote.

H: What were some of the major obstacles in carrying that work out?

B: Just getting the shit beat out of you and your safety. [laughing.] I shouldn't be using obscene words on tape. The major obstacle was just your own personal safety. They had African Americans down in West Tennessee, I mean, tenant farmers and indentured servants, decide they were all going to register to vote.

H: This is Fayette and Haywood Counties?

B: [Yes] Fayette and Haywood, and the landlords just moved them off the land and took their houses. John Wilder, lieutenant governor then, much to his credit, a prominent farmer down there, permitted a Tent City to be set up on his property. Do you know what my job was? The labor movement was contributing money

every week, it was all in cash. My job was to drive down there on Friday afternoon and took the money down there and gave it to them and drove back to Nashville. Matt had arranged that through the then-merging AFL-CIO, for some money to keep them alive. They were starving to death. They moved those people out of their home, just dumped them like the Rockefellers did at the at the Ludlow Massacre.

H: Did you have any particular organizational challenges in the Voter Education Project? You'd insinuated that the main obstacle was sort of grassroots resistance to voter registration, but organizationally, were there any challenges?

B: You know, I don't recall any. I remember, I went to see John Bailey, who was from Connecticut. He was chair of the Democratic National Committee under Kennedy. I think Ray Bliss was at the Republican National Committee, and Wiley went to see him and got the endorsement. Of course the Kennedy administration was keenly interested to do this. There was some, I don't want to say protection, but at least somebody you could turn to with some assurance. John Doar, who was Burke's assistant, those people were pretty gutsy, I thought. If they started arresting you and all that crap, you'd call the Justice Department and they send someone to investigate and litigate it for you and talk to you about it. We got that thing started and then my law practice reached such that we couldn't afford the time to be spending a day or two a week in court.

H: Did the VEP have a pretty conducive relationship with the Southern Regional Council?

B: Oh, yeah, it started it.

H: It was a pretty smooth working relationship?

B: Oh yes, Lester was interested in it, Harold was interested in it. The Kennedy's were interested in it.

H: It was a lot easier for the Kennedys to handle than all the Freedom Riders and Ole Miss and all that stuff.

B: Well, this is something that's irrefutable: Everybody ought to have a right to vote. When you get in an argument, [some would say,] well, it's my business if I don't want to feed [black] people. That's a little more difficult. All these ideas of the right of private property in this country [are complicated]. Well, if you want to have a restaurant and you don't want serve somebody, that ought to be your right [according to some people] , but when it came to something as basic as voting, you fought two world wars to make the world safer for democracy, that's pretty hard to resist. It had a such a national appeal to it. There were young

people being beat up. Some went to register to vote and had to recite the first ten amendments to the Constitution of the United States.

H: In shifting back to more local levels in Nashville, talk about some of the projects that the TCHR involved themselves with in terms of Nashville race relations in the early and mid- 1960s.

B: Well, of course the big thing that was breaking here were the sit-ins.

H: What role did they play in that? I know you played a very prominent role, but what role did the organization play?

B: Well, it didn't play its role any different in school integration, trying to make sure that the police were honest and not whomping people on the head, observing demonstrations. Those who wanted to participate could, and not a lot of the people wanted to participate. The Fusons were one, [from] Vanderbilt Divinity School. [The TCHR was] continuing to pressure the mayor into the realization that what it was doing to the city, to the downtown, [was a negative influence]. The downtown was a focal [point] of business, it's not like it is today. This is really before malls. I remember, my office was in the Stahlman building, which is across the square from the courthouse. Ben West was mayor, and he called me up and he was shouting so loud, I said, I'll tell you what, mayor, I'm going to hang the phone just over the window, because I hear you all the way across the square. [He said,] you get your ass over here, goddammit, I want to show you something. You know, access to the levels of power, persuaded him to appoint a bi-racial committee. It was the first one [I believe, in the country]. You know, not just very prominent people; we gave a voice to students. Dean Sarratt was chairman. He was sacrosanct at Vanderbilt. Sarratt [Center was named for him]. He was a wonderful man. He would say, when you'd take your first test at Vanderbilt, it was an honor system, you're taking not one test today, [but] two; there's a test on this subject and a test on your integrity. He was just one of those old figures of Nashville, he was chairman. We had Greenfield Pitts, he was Fred Harvey's spokesman. We had John Sloan's of Sloan's, and you had Donald Hart who was president of Nashville Gas Company and a big manufacturing company out there on Charlotte [Avenue]. You had Stephen Wright, who was president of Fisk.

H: Do you think Lipscomb Davis was on there?

B: Lipscomb Davis was on there, Davis Furniture Company and *the* Church of Christ in Nashville, very prominent. I don't mean that in a derogatory sense, they were very prominent. B.B. Gullet, Ben West's lawyer.

H: Let's see, I have Gullet, Wright, Heart, W.S. Davis, Lipscomb Davis.

- B: Dr. Davis: president of T.S.U. He and Hart both went to Cornell, I believe.
- H: Talk a little bit about the sort of internal dynamics to that committee while you were hashing out . . .
- B: Very interesting. Dean Sarratt, he wanted a consensus and he couldn't get it.
- H: They were sharply divided?
- B: Well yeah, I hope I was on the side of the angels. Greenfield was much more liberal than John Sloan. Of course he came down here from Chicago with Fred Harvey and created a department store empire here. He had been one of the Marshall Field's proteges. As a matter of fact, they did it, they just very quietly did it, integrated their restaurant facilities. All these department stores had restaurants. They just integrated it. Sarratt was trying to get a consensus, but unfortunately, at that time I believe, Buford Ellington was the governor and he was from Mississippi. He wasn't like Frank Clement, nor Ben West. Ben was a very progressive mayor.
- H: [West] was dependent on black votes for his election, wasn't he?
- B: He had a secret black cabinet in the 1950s. They met on Saturday mornings.
- H: Really?
- B: [His black cabinet consisted of] African American prominent educators and business persons. He had two African Americans in his city council; of twenty-one, two of whom were African Americans, and opposite. One was a Booker Washington philosophy and one with the DuBois philosophy. Mr. Looby was a West Indian and Bob Lillard, who had been a fireman and was sort of a self-educated lawyer, he believed in accommodation and Mr. Looby believed in confrontation. It's a very interesting dynamic. It was a wonderful time to live, because the issues were so simple that they were literally just black and white. Not like today, there wasn't much gray area. The first thing Dean wanted to do, he was the chairperson, the first thing he wanted to do was to hear from the students. I remember when Diane [Nash] came up there. She finished and he said, I just wish some of my students were as articulate as you, Miss Nash. He was really a wonderful man, very genteel. Of course, Sloan was convinced that the walls would fall, as they would call it then, if you let the "coloreds" in. They referred to them as the coloreds and the Negro. They were the socially acceptable words. Pitts was pretty good, Hart was from the east [and] I don't think it bothered him a lot. The real resistance was coming from Sloan. Of course, he was a very powerful man at that time. He was on the Vanderbilt Board of Trustees, you know the type. Poor Dr. Davis, he was an African

American president of a state institution under a segregationist governor, and he wasn't much help. Of course, Wright was very articulate. He went on to head the United Negro College Fund. He's dead now. He was a very nice man. Of course, Sloan was very close to Sarratt, socially and otherwise. I don't think anybody else on the committee was.

H: Both of them were close to Stahlman, right?

B: Well, Stahlman was very big on the Vanderbilt Board of Trust. He was the one that referred to me as "engaging in jackassery," whatever that means.
[Laughing.]

H: That's almost as good as when he called [Reverend James] Lawson the "flannel-mouthed agitator." I still haven't figured that one out.

B: I've heard that term before.

H: Really?

B: It means he's loud and awful. Then, you had the *Tennessean*. Don't underestimate the influence of the *Tennessean*. Here was a newspaper that was bought out of receivership by Silliman Evans Sr. with RFC money [under] Jesse Jones. Big in Houston, Jesse Jones from Springhill, Tennessee, right up the road is where he was born. The politicians around Roosevelt, like Jesse Jones and those people, were interested in a Democratic voice in the newspaper in the mid-South. Radio was there, but newspapers was the immediate influence. As this paper folded, Luke Lea owned it. He got caught up in all that. There's a fellow down there in Florida who wrote a dissertation on the Luke Lea, on the Cadrwell Company. What is his name? I'll see I have it here. Silliman Evans was in cahoots with Jesse Jones, who was from Fort Worth, and Amon Carter, the publisher at the Fort Worth paper. Evans was one of Jones' proteges. He helped found American Airlines. He was appointed receiver of Maryland Casualty, one of the largest insurance companies during the Depression. This newspaper became available and they loaned Silliman the money to buy it with the understanding that it would be a Democratic newspaper. It was pretty good. It railed against the poll tax, supported TVA [Tennessee Valley Authority], supported [Estes] Kefauver, supported all the progressive causes.

H: It was a nice counter-point to the *Banner*, I'm sure.

B: Oh yeah, the *Banner* is what I call magnolia, madness and mildew.

H: So, in terms of the mayor's bi-racial committee, were there dynamics going on

within the committee that maybe historians are unfamiliar with?

B: Halberstam was trying to get the story. Dave Halberstam, a young reporter here, he and I were good friends. I bootlegged it to him.

H: You're his source, huh?

B: [I was] on my way to the mayor's office to give it to the mayor. I think the thing would be, if you want to talk about it, would be Sloan's resistance. I mean, John Sloan was an old man at that time. He was a gentleman always, you know how these people are, but he was a real segregationist. It was fixed in his mind that it would destroy his business if he permitted African Americans to try on clothes.

B: Surely the boycotts were hurting his business just as much?

H: That's where the squeeze was. Vivian Henderson did the economics on it. He and I went around to black churches talking. Vivian and I were very close. He did all the economics on the impact of it downtown. I've got to get a couple of things done.

[End of side A1 and first part of interview.]

H: We're resuming on June 28, 2003, in the offices of George Barrett. I believe last night we left off with the mayor's committee, the bi-racial committee.

B: Oh yeah, [we were talking about] Ben West.

H: Are there any thoughts that you wanted to add to that discussion?

B: No.

H: You were talking about the personalities involved.

B: Well, West, of course, was a very dynamic man. I think he was one of the best mayors we ever had, and one of the more progressive in the country. He was the one that spoke dramatically at the courthouse, and said he thought segregation was wrong. At that time for a Southern mayor [to say that] was pretty courageous. He had the first urban redevelopment in the country, the Capitol Hill Project. He was very progressive. He had a "black cabinet," a shadow cabinet that met on Saturday mornings with the Negro lawyers and business people.

H: Who would have been in that cabinet, do you know?

- B: Well, Bob Lillard would have been in it. All of them are dead now. Mr. McClellan would have been in it. Somebody from Fisk [would have been in it], maybe a political scientist, maybe Herman Long.
- H: What about Looby?
- B: Mr. Looby, maybe and maybe not [would have been on it], probably. Looby and Lillard, as I told you yesterday, Lillard personified the Booker T. Washington approach and Looby personified the DuBois approach, compromise and confrontation. Probably, Mr. Looby [would have been on the cabinet]. Mr. Ferguson, who ran the Citizen's Bank, which is an African American bank [would have been on it]. There used to be a black newspaper here called the *Globe*. Probably the publisher and the editor of that, [Mr. Day, would have been on it].
- H: This is sort of off-topic, but do you have any sort of sense of how black politics functioned in the 1930s and 1940s in Nashville? I know that they had voting rights much earlier than other cities, but there's some evidence that suggests that maybe it wasn't a unified group.
- B: Well, I think the unification began to come in the 1950s and 1960s with the civil rights movement and the identification. We had wards and some wards captains and there were always two or three blacks in the city council who were obviously from predominately black, African American, neighborhoods. There were twenty-one persons on city council, so they had a little power. Like all legislative bodies, our local elections don't have parties as the local government's nonpartisan, you do it in factions or sides or cliques or whatever you want to call it. They really came together for the first time in a meaningful way at the second referendum on metropolitan government. Nat Caldwell, who was an advocate, who was a Pulitzer Prize winner with the *Tennessean*, his wife Camilla called me. She was a social worker and in charge of social services for the whole county government. Nat and I got together black leaders to [discuss the vote]. The first failed metropolitan government, I think in 1958 or whatever it was, the mayor, who was Ben West, embarked upon an ambitious annexation program. [West was opposed to] the second [referendum], he was opposed. He carried the city for the first referendum and the county failed. [But] the second referendum, he was opposed to it. [He] had convinced some of the black leadership that it would "dilute their vote." This is a little off-the-subject, but one of the reasons the first charter failed was, I thought, the council was too small. We had a twenty-one person city council, and like a thirty person county court, which was a legislative body of the county government. In the second charter, they created forty council members, which guaranteed five or six black representatives. Nat Williams, he's dead, Avon Williams, C.J. Walker, who was a doctor – all these people are dead – [we got together] in Nat's house in Englewood to talk about putting together a black political force to pass the metropolitan government. They called themselves

the Davidson County Independent Political Council. Bob Lillard formed a group. He was always allied with the Democratic Party. Lillard was unabashedly a Democrat. Mr. Looby was a Republican, which was not unusual because until [Franklin] Roosevelt came along, African American voted Republican. That's when they began to talk about organizing themselves politically both on a local and statewide level.

H: Is there anything else about the biracial commission? It was interesting that with the tensions of Mr. Sloan being a hold-out that, as I understand it, they sort of fell upon a partial integration plan at the lunch counters that was sort of a lukewarm compromise.

B: Yeah, it was a compromise, which was not acceptable, obviously. Harvey just up and did it. Just did it very quietly. Without kicking anybody; there wasn't any announcement or anything, they just did it.

H: So, then what changed after the fact to make the actual real integration take place?

B: Of course, when one falls, the rest of them get scared they'll be left behind. There were some very dramatic moments up on Fifth Avenue. You'd come out of the Arcade and you had the Kresse's and Woolworth's and other stores lined across the street. You had the Arcade. If you were at the Arcade, you could come [across the street from the stores.] Then, there was an upstairs in the Arcade, kids would get up there and throw things. The crowd would gather around and the students [would be arrested and] decided they were going to stay in jail. It was a mess, the jail full. We had some bad policemen at that time, some guys were real thugs. They would unnecessarily beat on people. This is right at Easter, the economic pressure on Cain-Sloan's and Harvey's [was enormous]. Easter is sort of like Christmas in the retail merchant business, especially the clothing. Everyone gets dressed up and buys new clothes. The economic pressure on them, they were about to lose the second best season, which meant declining revenues.

H: Do you think that Sloan was feeling that, even though he was so recalcitrant about succumbing?

B: Oh yeah, he was feeling it. Vivian Henderson had the numbers. He's the economist, he worked up the numbers with the impact of black trade and its withdrawal from downtown Nashville.

H: Did you get a sense of Sloan having the backing of the Chamber of Commerce types in terms of being resistant?

B: Fred Harvey was always "an outsider." I mean, John Cain and Sam Fleming and

all that crowd, they were....Harvey was Chicago, and Marshall Field's, one of his proteges, that sort of thing. When he came to Nashville after World War II, he really shook up the retail business [on] marketing and all that sort of thing. It was just really a sleepy Southern town. Everybody sort of knew him. I mean, it's called a son-in-law city. Go to Vanderbilt and marry a local girl, and do well; you won't have to work too hard.

H: All right, well, why don't we finish up regarding the Tennessee Council on Human Relations, and then we can move on to other topics. Are there any other projects that you recall the Council being active in? I've run across references to the North Nashville Project and the South Nashville Project, I don't know if that means anything to you.

B: No.

H: What projects come to mind when you think about the work that the Council was doing through the 1960s?

B: Well, we published those two reports, and I helped. I got Wally [Wallace Westfeldt] hooked up with NBC when they came down here, and he wrote a lot of [their reports]. That's how he ultimately went to NBC from the *Tennessean*. Some guy at NBC called me and said they wanted to do a paper.

H: Was there any sort of grassroots work?

B: Well, we worked on the symphony. Blanche Festerwald and I met with that board, she was a big contributor to the symphony. Of course, Walter Sharp was one of our members and he was one of the founders of the symphony. There was some questions about musicians, black musicians, there were some questions about that. I can't remember. We were all busy doing something, what it was, I don't remember.

H: Do you think that it was more of this sort of stuff that it was sort of meeting with different sectors of the community, trying to convince them, or was it more direct, going to the people and doing programs that would directly benefit African Americans?

B: I think really the purpose was, it was articulated to me, to be able to get the "power structure" to examine these issue, but Vivian and I got Whitney Young to come here when Briley was the first metropolitan mayor. [Briley] and I never got along very well. He's got two lovely grandsons in politics that are very dear friends of mine, real accomplished young men. But Mayor Briley was racist. He just really was. He never got over it. But Vivian and I got Whitney up here to talk to him and start the Urban League here in Nashville [and] stuff like that. [We

would] meet with the people from the Chamber [and] work with Matt Lynch on employment matters. I hate saying we or me, but we took the first blacks to conferences at [local] hotels. They first had to ride up on the freight elevator, well, that didn't last very long. They weren't going to suffer those indignities. [There was] a lot meetings. We had an annual meeting in which we tried to get some prominent person to come to Nashville [to speak]. Burke Marshall came.

H: I get the sense in reading over some of the minutes and whatnot that there was sort of this constant desire to sort of reevaluate the organization's direction...

B: Well, we got in trouble when Kay [Jones] left and Baxton Bryant became director. I think in a sense that these Councils on Human Relations were not "cutting edge, push-the envelope" organizations in the south. I think they were more near to the SRC, which you know goes back to after World War I. It was sort of "education." Lyndon Johnson used to say, let us sit down and reason together, while he had you by the balls. [laughing] There wasn't much reasoning with him. It was that sort of thing of trying to get people who were accessible to the community to take positions in regards to social change. We were "observers" in the city. We never did "respond" to [demonstrations or] take part in them. I did represent some of the students who were arrested in court, but I did that as a lawyer, not as a president or chairman of the commission. But you had prominent people [involved]. We had Gertrude McCall, who was president of Church Women United. Nashville is "a big "religious" town. You had people who you tried to get to identify with what was going on. When Baxton came, he was just too confrontational, and I think the thing just slipped away.

H: He was a controversial figure, from what I understand.

B: Yes, he was very confrontational. You know, one local restaurant here, the Pancake Pantry, wouldn't let you in if you had a beard or some silly thing. He took that up as a great cause. I never found taking care of hippies...I didn't think they should be discriminated against because I thought they were underprivileged, [few were].

H: I get the sense that there was some conflict over what direction the TCHR should go around Bryant's tenure in terms of whether the TCHR and the director should be front and center or whether there should be more strengthening of the local chapters in each part of the city. Does that ring any bells?

B: See, Bryant had run for Congress in Texas. He was conscience of being a high-profile figure, having run for Congress and all that sort of thing. That wasn't "our style." We were looking more to persuade people rather than confront them. I think that's sort of the end of [the TCHR], it kind of spun out after that. You know, they [helped a] minister in trouble because he preached a sermon. They

organized a religious leaders march from the cathedral to St. Mary's. It was non-denominational and some ministers got in trouble. You'd have somebody in a denomination in the Council that would try to help him, that sort of thing. It was really, I think, an effort to make it respectable. Associating with those causes all the times was considered not socially desirable. They were sort of eager for a socially acceptable posture.

H: I understand that there was also controversy involving Moran and Associates?

B: Oh, Rita, I hadn't thought about her in ages.

H: What was that about?

B: You never could tell whether Rita was donating her services or charging us for her services there. God, I haven't even thought about that in years. She went to Washington with the Carter Administration. The director of GSA was a man from Chattanooga. He had known Rita, George Solomon. He took Rita [with him to D.C.], she worked in political campaigns, she was one these sort of self-made women, self-educated and self-made. [She was] in and out of all the county businesses, catering and public relations and that. I think some people were critical. They weren't sure whether she was donating her services or whether she was charging for them and that sort of thing. I think some people got upset over that.

H: Well, in terms of Bryant, you were saying he was a controversial figure, but certainly some people seem to support him. I mean, I got the feeling that you and Martha Ragland perhaps didn't like his style. You know, presumably, there were some people who did support his style?

B: Oh yeah, not many. Of course, Kay Jones was a different person. I really wish you could find her if she's still alive. Last time I heard, she was living in Kentucky. What we had previously was Louise Young, who taught rural sociology. Like everybody's grandmother, she could tell you you were ugly and you'd think she was telling you something nice. You know those women, just Southern, very smart, very clever. She was just wonderful. You know, you thought she was maybe not quite all there, but underneath she was very much all there. Kay was a social worker under a social services agency. She was more direct than Ms. Louise, but she was very good at getting people involved and getting the right person to go see somebody to get that person to become involved. Here comes this fellow [Baxton Bryant] from Texas, who ran for Congress, who was I think a Methodist minister. Blustery, confrontational, ran over all. In my opinion, it didn't achieve what the purpose was, you were identifying with certain groups of certain people that you were losing in your constituency.

H: Did you think that the Council had strong black leadership?

B: Oh yeah.

H: Was that difficult to sustain as the civil rights movement went on?

B: Well, that focus shifted, but at the same time, you had a black bourgeois here of business people and professional people. You know, a large number of educators, which represent the whole spectrum of civil rights people, everywhere from Jim Lawson, who was the father, with the Gandhi technique, who introduced [that technique] to the civil rights movement. Dr. Davis, who was president of TSU, who was the black president of a [black] university in a segregated state, so you ran the whole spectrum. You had the offices on Eighth Avenue, [black C.M.E.], Andrew White's there, C.M.E. (Christian Methodist Episcopal Church). Andrew White was their secretary. He was a wonderful man. He had some standing in the community, a lot of leadership. You had Dr. Polk at TSU, who was the drama teacher there, who had some standing in the black community. You had Vivian Henderson, who was recognized. People like Vivian and Andrew, Herman Long, John Hope Franklin, who taught at Fisk, the man that led the Race Relations Institute for a while, people like that [were involved].

H: Was Charles Johnson there?

B: Charles Johnson [was involved briefly before he died]. After he died, [his widow] was very active. [They] saw the value of whites identifying with their cause, white, at least on the periphery, if not in the power structure. I never was in the power structure. I mean, I was locked out, but you know, I had access to them, political and in other ways. But there were people who belonged to the Belle Meade Country Club and all that in this group, who were sort of talking the [issues] over dinner. You know what I'm saying. That's one way of social exchange, I guess, but people like Vivian and Herman saw a broad spectrum of support, not all of it had to be sitting at the counter. You needed that, but not everybody had the same [role]. First time I met King, in Atlanta, he was talking to people like me and the important role of people [like us], like Charlie Morgan in Alabama and Father Foley, who was president of the Alabama Council, Southern Regional Council, that sort of thing.

H: Why don't we shift gears a little bit. I think I told you yesterday that historians have not explored labor in Nashville whatsoever, and I was wondering if you could talk a little bit about the dynamics of labor in Nashville. Also, do you think that labor plays a role in understanding race relations in Nashville?

B: You know, you really need to get to see if the library's got George Mitchell's film I was telling you about last night. Mitchell was at the SRC [and] did this film It's a

little map with chalk and a colored map of the South. It talks about the labor movement. Historically, the labor movement began with the building crafts, borrowed a lot from craft movements and guild movements in Europe. That was the old American Federation [of Labor,] by the way. That was essentially all white and driven by immigrants, the Irish in the railroads, the Jews and needle trades in the early twentieth century. You had unions that were poor "Catholic" and unions that were "Jewish," and that made up the AFL. Then, the industrial unions began in the 1930s, the CIO (Congress of Industrial Organizations). It was first called the Committee of Industrial Organizations. It was a committee of industrial workers. It got "democratic," in a sense that it was made up of factory workers which was everything, black, white, and everything. It was ultimately split with the AFL on its organizing goals. [The CIO] wanted everybody that worked in the factory to belong to one of the unions. The building trades wanted the mill workers in this union, the plumbers in this union, the electricians in this union, and the sheet metal workers in that. It'll work on building a building, but it won't work on running a factory. So, you had that philosophical split. Along with that split, you had the philosophy that went with the industrial unions, which is to organize the unorganized. The sit-ins....These sit-ins are nothing new. They borrowed that from the auto industry. They shut down those plants for days, just occupied them. So, you had that divergent philosophy. Matt came out of the needle trade, called lintheads. You know what a linthead is, don't you?

H: No.

B: Somebody who works in the textile plant. They get lint in the hair. They're called lintheads. Well, he came out of the needle trades. Needle trades have a great Jewish tradition. They brought that over from when you had these large immigrations from Russia and those places, and you brought a social philosophy with you. Most of them were Socialists, not Marxists, but Socialist. As you know, there's a lot of difference between Marxists and Socialists. They had these work-circles where they read to each other. They read and discussed philosophy, work, economics. So, you had two philosophies. My uncle started a plumbers union because he was Irish. He grew up in that tradition. Although, I must say there was very little prejudice in our household, and I think that's because we were members of a minority, unlike the Irish living in New York, Boston or Chicago. We were discriminated against, not to the extent that blacks were, but economically and somewhat socially. None of the fraternities in high school would take a Catholic. Blacks were beyond the pale, of course. I think that's probably one of the reasons that we never had a lot of bigotry in our house. The CIO came to Nashville, it came to Memphis, it came to this part of the country mainly after World War II. Matt was involved in it.

H: This is Operation Dixie.

B: Yes, well, he was involved in it right before the war, kidnapped and taken up into the mountains and they thought he was left for dead. He was organizing a hosiery mill – there were a lot of hosiery mills. A pioneer of the industrial revolution, first industry in the country is textiles. Nobody makes clothes in this country anymore, they've gone to all these Third World countries. Of course those conditions were awful, they were horrible. So, he came back after the war and went back with CIO. Then, they organized steel and all of that was coming South. I mean, they were organized, and they brought that philosophy of industrial unionism: no discrimination, everybody belongs to one union. So, you had that dynamic, and the old AFL philosophy which was that the craftsman passes from father to son. Well, if it passes from father to son and they never had any African Americans, there aren't going to be any new ones. But we did have some enlightened leadership in the AFL in this state, a man named Stanton Smith, who, as I told you, died last year or the year before when he was almost a hundred years old; he and his wife were school teachers from Chattanooga. They belonged to the AFT (American Federation of Teachers). I often think...Nancy, his wife.... I also think the wives were much more liberal than the husbands. But they were really an interesting couple. He [rose] to leadership in the AFL. As I say, the way I got interested and connected with SRC and all that was Matt. He was executive secretary of the old Tennessee State Industrial Union Council, which was the state CIO. That's distinguished from the Tennessee Federation of Labor, which was the state FAF. Matt was executive director, second to the president. It changed every year, but the executive director was the permanent CEO, chief executive, he ran it. They did mainly lobbying, political organizing in terms of trying to organize the labor votes in support of candidates like Kefauver, Albert Gore, Frank Clement and things like that. That's how I got involved. [He] got an invitation from SRC that they were trying to form these councils and they wanted labor's voice at the table.

H: So, is it safe to say that Nashville was not a particularly labor friendly town?

B: No, there's no Southern states that are labor friendly. One of my earliest recollections is in the labor movement working. When I first started working for him in the summers, and they always had their convention in June, and I was sort of put in charge of the bar, to take care of the bar at the hotel. I was a gofer. I would go and pick up somebody who come in at the airport, you know, things that young people get started with. They met in Memphis with the State [Industrial Union] Council annual convention and conference in Memphis. Crump vowed to run them out of Tennessee. He was going to run the Communist organization, that's what the C stood for [Crump thought], Communism, out of Tennessee. I remember Matt getting up in the convention hall and marching down to City Hall to parade in protest. Matt had always had African Americans on his board, had women on his board. [He] brought that philosophy of industrial unionism to the labor movement here. There were recalcitrant locals. They put a UAW in

trusteeship in Memphis. They wouldn't take colored off the bathroom door, so they just put them under trusteeship.

H: Did you have issues like that in Nashville?

B: Not particularly. Aaron Sloss is now dead, worked for the Chemical Workers. He was an African American in what's called a national representative, which means he works for the national union. [He] was working for them, was always on the board. When I went to work for Matt in Nashville, he sort of took me under his wing. He was a wonderful man. I was with him the day the Supreme Court ruled on *Brown versus Board*. It was something. So, you had that leadership in the CIO. You had some developing leadership in the AFL the state AFL, Stanton Smith and some of those people who could see the social change coming, the dynamics of it. Then, when they merged, it wasn't nearly as painful as it was in a lot of other states, where you really had a clash of philosophies. You need to get Mitchell's movie. It's a whole course in the dynamics of the labor movement coming south. Every year there was a labor school at Myles' [Horton] place up at Highlander [Folk School]. I'd go up there and he'd have all these people. I was trying to think of some of them, but he'd get all the big names of the time. Horton was a very prominent figure in adult education, and all that's never really taken off in a big way in this country like in Western Europe.

H: So in terms of Nashville specifically, do you think that labor and the sort of class dynamics of labor plays into race relations? For example, I know that in 1969 there was a Teamsters sort of issue regarding African Americans, and I think that there was a strike at Fisk among some of the janitorial workers. Is there a deeper significance to events such as that?

B: No, I don't know which local that was, because about that time, they split the local here. That's part of the Hoffa stuff going on. Every guy here was in and out of favor with Hoffa, and I sued Hoffa. I got an injunction against him over an election. Seigenthaler was involved in all of that. He made a reputation for that, journalist's reputation. That's how he got to meet Bobby Kennedy. He never told you that story, did he?

H: I know how he did, but he didn't tell me any story about that.

B: Anyway, my representation as a lawyer and my introduction to the labor movement was mainly the industrial unions, Amalgamated Clothing workers, rubber workers, steel workers. I don't have much of that. I don't recall the Teamsters thing. You can ask Cecil [Branstetter] about that. Cecil might know about that. He's represented the Teamsters since the 1950s.

H: So, the unions that you worked for here in Nashville were for the most part integrated?

- B: Yeah, a guy named Paul Christopher, he was the regional director of the CIO or whatever they called him. He was in his office in Knoxville. He was a pretty progressive thinker. I hate to use the word liberal because it sort of marks people. I don't recall much of that in the CIO, but as I say in Memphis, they had to put that UAW local in trusteeship, because they wouldn't integrate the local facilities.
- H: I think what I would like to do now is shift to sort of the broader questions, sort of get my mind around how Nashville worked, and then we can go back and maybe fill in some of the details about some of these other groups that you worked with. It seemed like in the 1950s and 1960s, Nashville had this sort of self-pride and this sort of self-belief in the city's moderation in terms of race relations.
- B: Well, in the Nashville Plan, you had a mayor that was really ahead of his times.
- H: Well, I just wanted to sort of pause on that word "moderation." What does that mean to you?
- B: Well, it meant, to me, going too slow. [laughing.] Obviously, because it didn't work.
- H: It was coded, in a way?
- B: Yeah, but it doesn't have the connotation that so many code words have today. I think it means a commitment to make change, but not too rapidly, in order to give people an opportunity to adjust to it. I think that would be an accurate definition. It concedes that change is going to take place, which segregationists never conceded. The code words that they used were "over my dead body."
- H: But, in conceding it, it aims to control it, in a sense.
- B: Absolutely, and make it as painless as possible.
- H: It seems like this sort of belief in moderation connects into this respectability issue. You insinuated yourself that there was a certain way that, for example, the Tennessee Council wanted to work. There's a respectability issue that plays into this, is that safe to say?
- B: Well, you know, you do have that sort of façade in the South of being genteel. You've lived in the South long enough to observe an attitude. You know, I don't know, maybe some historians believe it came from the Greek influence, and we sort of saw ourselves as a Greek society before the Civil War with all these great

Grecian homes.

H: It's the Athens of the South.

B: That's right. I guess that's where it comes from, the sort of courtesy that you extend to people. I have a great time going to New York. Within three hours after I get to the hotel, everybody knows who I am. I say yes ma'am and no ma'am to the operators and all that sort of thing. People are not used to that in New York. I think that's where some of it came from, but you know, you really had some people like me and like most of the people in the Council that realized that wasn't going to cut it, you had to come to grips with the real problem. We haven't come to grips with it in this country yet.

H: It seems like there's a real interesting interplay in Nashville between a very "liberal" dynamic, or people who are moderate and like to think that they're liberal, and yet there's also a very sort of strong reactionary element in Nashville. Would you agree with that assessment?

B: Yeah, I think that, if you look at Nashville, you had the *Tennessean*, which was really a great newspaper until Gannett [newspaper chain] bought it and ruined it. They did the same thing to the *Courier Journal*, it's horrible. They bought it and ruined it. They ruin all the papers, it's just garbage. I mean, here was a newspaper. I was raised on the *Tennessean*. [It was] pro-labor; pro-civil rights; anti-poll tax, what I call that magnolia madness or mildew. We were digging potatoes in the Civil War and you had an educated African America population, three schools of higher education. Fisk, at one time, it was "the Harvard" of black schools. It was the mother church. Then, you had Tennessee State and you had Meharry Medical College, which at one time trained over half the black doctors in this country. You had the university [Vanderbilt], which was conservative, but it was started by the Methodist church. You had that movement that was in the church, by that I mean the broad church, Methodist and Presbyterians. Then, you had all those Methodist Board of Education and publishing house and all those Methodist units [and] parts of the Methodist church here in Nashville. The Southern Presbyterians were here. You had a lot of people who could see the social injustice of a society that treated certain people as second class citizens. Then, you had the traditional Stahlman, country club, old South, who really think that black birds and white birds ought not sing together, that sort of basic fundamentalist thing.

[End of side A2]

H: I think it was Will Campbell that observed that Nashville was this strange combination of being modern politically and yet less modern in its sort of social and cultural attitudes. Would you agree with that?

B: Yeah, I think that's an accurate observation. I think that gets back to what I said yesterday, that you had African Americans participating in the political light of this community since before the turn of the twentieth century and you all these other factors, and then you had a newspaper that railed against the state issuing the poll tax. You had an unusual series of mayors, Tom Cummings, especially West. West was very progressive. I think he was really ahead of his times.

H: So that's sort of outpaced this prevailing mentality among the rest of the city.

B: You know, Memphis, for example, most of the African Americans in Memphis came from rural Mississippi, rural West Tennessee, which is like Mississippi, and rural East Arkansas. You didn't have the institutions like you have in Nashville. I think that accounts for it. I guess [there was] a fairly educated white population [which also contributed to that].

H: How do you feel, looking back at the changes brought by the civil rights movement? How do you feel that informal race relations have changed as opposed to institutional?

B: Well, my children, for example, never went to segregated schools. [They] always were in school with African Americans. [They are] more at ease with them socially, I think, than my generation, which is a vanishing generation who was brought up in a segregated society. You know, you see more interracial couples. To me, they have children who are "mixed," and you don't have the problems with that that people in my generation would have had. I mean the fact of an African American and a white getting married was inconceivable to that generation, especially white women to black men. It was much more offensive then the other way; I haven't figured out quite why. [laughing.] One of the first interracial marriages in Nashville was on my front porch. I had a black student, clerk and law partner who's a law partner. She had one of the early interracial marriages. I grew up [when] you never saw a black in a restaurant. I mean, they weren't allowed, [unless they were] waiting on tables and cleaning up, but you didn't see them in a theater. You didn't see them anywhere. You saw them shuffling along the street cleaning it up or coming in the back door of some establishment, [but now] a black comes in and it's like you and I walking in.

H: It's an interesting question, in being aware that you are of a generation that grew up in a segregated society. Did you ever feel that, even when you were doing interracial work, working with African Americans, did that sort of play into the interactions even as you were doing civil rights work?

B: You mean interaction with myself and blacks or interaction with myself and whites?

H: Interaction with either, or other whites and other blacks.

B: I would answer yes.

H: How so?

B: Many black people thought I was a Communist.

H: But I mean, for example, within the Tennessee Council, given that you had whites who were “enlightened” enough to do race work and yet they were raised in this segregated society and were of that generation, did that condition how they interacted?

B: I think it does, knowingly and unknowingly. As I told you, the very first African American I knew on any kind of social equality was when I went in the service. I had just finished high school and, you know, I know everything, and here’s a kid who came into the same company I was in who’d had two years at Yale. Well, he straightened me out quickly. He knew a lot more than I did. I was, from high school, stuck by that. As you experience different things, you become more at ease. I think there’s a certain awkwardness that I think takes place in the beginning. We had the first public integrated, fully integrated events here, dinners, socials, that sort of thing. It was hard to find a place to meet to have one. Usually we ended up renting a hall and getting a caterer, because hotels wouldn’t rent to you. Banquet socials were generally unavailable.

H: Where do you feel in the 1950s and 1960s, in terms of Nashville, where were the centers of power and influence? I mean, certainly you’ve talked about the black community sort of coming into their own, you’ve talked about the newspaper, where else in Nashville?

B: Well, as I told you, the Watauga Group. All that was like in interlocking directorate. They all belonged to the club, there was only one club. Most of all of them served on the Vanderbilt Board of Trust, which was sort of a big social prestige thing in Nashville, up until recently, because they’ve broadened their prospective admissions. Alexander Heard really did that for Vanderbilt, sort of broadened its perspective of an educational institution. Of course then you would have the Chamber of Commerce. I think the *Banner*, of course the *Tennessean* was influential, but so was the *Banner*. Interesting enough, the *Banner* was a big supporter of Ben West, but that was for political reasons. The *Tennessean* supported Beverly Briley, and politically West was much more liberal than Briley.

H: Politics makes strange bedfellows, huh?

B: It makes strange bedfellows.

H: What other groups do we need to talk about? There this proliferation of these organizations in Nashville, the Coordinating Committee and all of these little groups, which one of them were you involved with. Perhaps talk about that?

B: Well, doing the Freedom Rides, Seigenthaler had me helping him, and he was with the Justice Department. He wanted me to talk Diane Nash and them out of going to Birmingham. [laughing] I said, John, you are out of your mind. He called me under some bogus name. [He said,] can you go in there and talk to them? I said, yeah, I can go in and talk to them, but I'm not going to talk them [about backing] out of it. [I said,] you're crazy, they're not going to listen to me. I said, I'm just telling you what's going to happen, y'all better get ready for them, get ready. I knew Lawson, of course. I knew Jim fairly well. He used to do training down at First Baptist, Kelly Miller Smith's Church. That was SCLC. Kelly Miller Smith was a wonderful man, he really was. I knew all these guys. One night I had arranged for dinner at the old Manwely House with Thurgood Marshall, Burke Marshall, Cecil, myself, I think Vivian [Henderson] was there, and Dave Halberstam may have been there; David was here [in Nashville]. You know, that's somebody you ought to [talk to] if he'll talk to you.

H: I would love to talk to Mr. Halberstam.

B: Seig [John Seigenthaler] can arrange that.

H: Can he?

B: Yes, Seig can arrange that, he and Dave are close. They remain good friends, he had him here last year. I wasn't really part of a lot of that, but I knew a lot of the people. John [Lewis] was of course a student here. Diane [Nash] and all those people [were also]. I was busy trying to make a living. You know, you never get rich representing unions. Well, I don't say that begrudgingly. I went to law school to be a labor lawyer. If you send a labor union a bill for what your services really were, they'll faint. Then there were the churches.

H: You really think that religion did play a dynamic in Nashville?

B: Absolutely, yes.

H: You think it did have sort of real-world consequences?

B: Yeah. Ruskin, was that his name? [He was at] the Belmont United Methodist

Church, which is one of the big Methodist churches in Nashville. I mean, he was prestigious enough to withstand the pressures from his congregation to [resign]. You know, you start attracting figures like that, you get people's attention. Sam Dodson with the Methodist Church. Finally he went to Greece, he went to Athens and loved it. I think [he went with] American College as chaplain or something, and raised his children. He was a wonderful man. He died, I think, last year. You know, you get one or two bishops in the Methodist Church. They had a black bishop here, I've forgotten his name. As I say, I've sort of carried the water for several of those people. I never demonstrated... I always, even as a lawyer, I've gotten a lot of people out of jail from taking on this [issue]. You've got to choose whether you're going to be a lawyer or whether you're going to be a participant. I don't think you can be both, and my position was, I'd rather represent you. For me to do that, I can't be a participant.

H: Certainly in these groups, you were kind of a conduit on behalf of them.

B: Yeah, I mean, I was available with all these other people to carry messages and run errands and all that sort of thing.

H: Talk a little bit about the busing issue in Nashville. How did that affect Nashville?

B: Let me tell you about the busing issues. Oh, you mean the sit-ins, the Freedom Riders?

H: No, I mean the issue of school busing.

B: That got really bad. There was a man that was a city councilman that made an issue and made it bad, Casey Jenkins. One of the federal judges, Morton, who's dead now, who came down here from Knoxville. Howard Baker recommended him. Howard was in the Senate. Judge Miller had been the previous federal judge who'd handled the original Nashville [integration] case. Judge Gray passed it on to Judge Morton. [Judge Morton] put down a really stringent busing order, cross-town busing, [to really] integrate the schools. It really raised a violent protest, they shut the courthouse down, the federal courthouse. He couldn't get into the courthouse after lunch one day. It was serious. They ran him out of town. He moved to Cookeville. The federal court in Nashville has a court in Columbia and Cookeville, so all the judge has to do is live in the district. He doesn't have to live in Nashville, it covers most of middle Tennessee. He moved to Cookeville. There was a court up there. I mean, he was living out in Belle Meade. They damaged his wife's garden. There was a great social uproar here. It became an issue in the mayor's election. Casey Jenkin's symbol was a school bus. You know, [it said] stop busing. He got in the run-off. We have a runoff here. You had to have a majority to win, in municipal

elections, although we don't have parties, it's nonpartisan. He got Briley in the run-off. I wasn't for Briley in the first round, but I sure was in the second round, because I didn't want that nut Jenkins to be mayor. That must have been 1971 or something like that, because that was Briley's last term and then Dick [Fulton] was in Congress. That's when he almost got beat, though, he got less than fifty percent of the vote in one election. He voted for fair housing and all real estate agents were furious, and right on the busing issue [and civil rights bills].

H: It seems like the busing issue is really knotty, because it's for a transparently good goal of integration, yet it's tied up with the fact that housing and neighborhoods are still segregated. It seems like a really knotty problem that is very, very complicated.

B: Well, it is complicated, and the complications are compounded by the fact that you disrupt neighborhood school patterns. We didn't have any problem for a hundred years busing blacks when there was one black county high school. It didn't matter where you lived in the county, you were all normally going to Haynes High School. It didn't make any difference where you lived in the city, you were all going to the public school at Pearl High School. It's a very interesting thing what's happened, I think, and I've discussed it with Richard Dinkins, who now represents NAACP in the school litigations with me and the *Geier* case, where they've settled the *Kelley* case [original Nashville desegregation suit], which was elementary and secondary education case, seven years ago. I noticed in the 1980s and 1990s that there was a terrible shift in black attitudes toward busing. It has changed from what they [desire as] adequate financing, to [substitute] for "radical," cross-town bussing. [The plan is] trying to give some certainty to the educational system. The plan now limits students to two or three schools rather than being jerked around all the time. I have some question about that. You may be just re-segregating the school system, but I guess we'll have to wait and see.

H: It seems tricky in the sense that schools were so much the cultural anchor for African Americans, especially before *Brown v. Board*. It really was disruptive, I would think, to be taken away from that.

B: Absolutely.

H: It's a tricky issue, I think.

B: It eroded the confidence of public education in whites. When I was growing up, we had a wonderful public school system, I suppose one of the best in the country. We were segregated. Most everybody went to public schools. These private schools just sort languishing under that. Of course now they've got all, what I call, segre-academies. Goodpasture and Franklin Roads Academy, all of

them started to avoid integration. I mean, they'll take a nominal number of African Americans to play football or something like that. They're not out there beating drums for them.

H: Talk a little bit about the integration of the Nashville Bar Association, if you would.

B: Well, that came about by Avon William's pressure. When I got out of school, to be introduced to federal court, to be admitted to practice in federal court here, it was required you had a letter of recommendation from the Nashville Bar Association. It was segregated. You had the Napier Bar Association, which is African American. The National Bar Association was predominately African American, the Looby Chapter here was sort of the chapter of the NBA, National Bar Association, which I belong to. Mr. Napier was one of the early lawyers in Nashville. You know that, in 1935, when Congress passed the public housing legislation to create public local housing authorities that, in 1936, when the one was formed in Nashville, that there was an African American member with a five member board.

H: Really?

B: One was an African American and one was a labor union leader, the other three were business people. That's the 1930s.

H: That's saying something.

B: So Avon, he raised the issue of [being certified for] federal court. He made an application. One of his associates, who was an African American, made an application and refused to get a recommendation from the [Nashville] Bar, [and] they didn't want to make the recommendation. I remember [when this came up, the court] changed the rules. That was the beginning of the end of the segregated Bar. I don't know who was president when they integrated. I don't even know who was the first African American member of the board. We haven't had a president yet. We've got a couple women presidents, but we haven't had an African American, and we've had one [Hispanic president]. But it's fully integrated now, nobody pays any attention to that.

H: From what I understand, the National Bar Association was more resistant than even Memphis or Knoxville to admitting African Americans. I don't know if that sparks anything.

B: You know, I've never been big in Bar politics. I don't know. I don't know who could tell you that. From the sound of it, at one time, Nashville Bar [Association] was dominated by the big law firms. It's no longer so. The first law firm, other than myself, and mine was in the 1960s, I had an African American partner, he

died last year, the first big law firm was Willar Lansden. The managing partner was Phil Davidson, a good friend. He's dead now. I got him to take Waverly Crenshaw, who was one of Judge [John] Nixon's clerks. Several years ago, when Saturn [part of General Motors car company] came [to the Greater Nashville area], the paper said General Motors and the National Corporation with presence in Nashville and middle Tennessee [put pressure on] law firms to have African American partners. That's where Waverly Crenshaw came in. Phillip called me up that day and said, did you see that in the paper? I said, well? [he said,] that's not true. I said, well, [so what]? He said, goddammit, Barrett, he's up here because you sent him. Philly was a good friend. His two sons clerked with me when they were in law school. He was a good friend. We were contemporaries.

H: Talk a little bit about your involvement in the lawsuit with TSU and the merger situation. What's important to know about that that might not be available in the transcripts or records?

B: In the 1960s, Ruth Robertson was the first black female admitted to Vanderbilt Law School. The first black males, two of them, were admitted [when I was there]. [One of them,] Freddy Works, [his] father was director of the Jubilee Singers at Fisk. We were seniors in the law school, third year law students, [at the time]. Dean Wade called us in. Vanderbilt had gotten a \$500,000 grant from Ford to publish the *Race Relations Law Reporter*. I think one of the strings on that was open admission in terms of race. There were only two women in law school when I was there. When my daughter was in law school, almost fifty percent of her class was female. Anyway, the dean called us, Jim Neal was in that class, Tom Higgins and myself. I don't know, several of us were called in, and he said, gentlemen, we want to admit two Negro students; I would appreciate if you all would see there's no problems. Well, you know, the guys got in and they came to school that fall as first year students. I knew both of them, and the only fight I remember is one of the fraternities they wanted to get in wouldn't let them in. So, some of us got out of it that time and decided it wasn't worth being in. But I don't remember anything particularly about that. That would have been in the fall of 1956, because I graduated in 1956.

Then, in the 1960s, Ruth came to Vanderbilt, the first black female. She was from Washington D.C. and had gone to Lehigh, one of those universities, small school in Pennsylvania; Franklin & Marshall, one of those, I've forgotten the name of it; and I had her as a clerk in a summer clerkship. We were talking about education, and this was a time [before] lawsuits were [filed]. If you know the history of desegregation in education, you know that before the Second World War, all the decisions involved higher education, and then the War came. After the War, the decision was made by [Thurgood] Marshall, Wilkinson and some of those people. If you're going to change the system, it's not going to be a trickle-down, it's got to be from bottom-up, so we're going after the elementary and secondary educational

systems, that's where the emphasis was, elementary and secondary. All those lawsuits were filed, one against UT [University of Tennessee] by Mr. Looby to admit blacks. Ruth and I just got to talking. What was happening was, at that time there was a Board of Regents that runs all the schools of higher education, except the University of Tennessee and what's called the UT System, and that's the UT Board of Trust. Well, in 1946, the Chamber, Ben West was mayor, the Chamber chartered an airplane. There was a picture of it in the paper, in the *Banner*. [They] flew to Knoxville to talk to Andy Holt who was president of the University of Tennessee to open a branch in Nashville. So, they opened a UT extension right across from the federal building, that's the old Methodist publishing house, right across the street from the federal building, across the street from the Episcopal Cathedral. They began to develop that because there was a little school down Murfreesboro called Middle Tennessee Teacher's College and there was Austin Peay Teacher's College. If you looked around, the board of regents, they were all teaching colleges. That's what Tennessee State is. [It's] Tennessee A & I, which is what it was then called, not Tennessee State University.

As time progressed, that attention got larger and larger. So, then they decided they were going to open a branch that was going to be UT at Nashville. That's where the present downtown TSU campus is. That was built by the University of Tennessee. Ruth and I were talking about the historical impact. If you've got historically African American or black colleges or universities besides historical white universities, there's really not any choice. You're going to gravitate toward your white or black. In building that school, they were going to tend to perpetuate the previously *de jure* and still *de facto* system of public higher education. I began to formulate that in my mind.

The next year Rita Sanders . . . Ed Sanders is her brother, who's a minister here, you might call him, Ed is obviously younger than I am. Rita came from Vanderbilt. She had gone to Fisk and gone to Chicago for a master's [degree] in History, and was one of John Hope Franklin's proteges. He was very proud of her. [She was an] attractive woman, very smart, and really a lovely person. You ought to talk to Rita, she's a high official for the Social Security Administration. She and Paul got married, they were married on my front porch. Rita is of course African American [and Paul is Canadian]. She came to teach at TSU and she got interested in the law school and going to law school. [She] applied and got into Vanderbilt. She came to work for me [while in law school]. Ruth told me about this girl who's come out there and would I meet her [to interview]. So, she came to clerk for me. So, you had a TSU teacher. You need to get in touch with Pat Gilpin. Pat's living in Houston now and I don't know how his health is, it was pretty bad last time. Pat was a Ph.D. candidate at Vanderbilt in history and got to know Rita. He was teaching at the UT extension, so she connected him. We began to talk about this lawsuit, how to get a handle on making the higher educational system do

something about the still *de facto* segregated system of higher education. We began to talk about that and decided the only way to do it is to file a lawsuit, to get them into federal court. We had a favorable forum, Judge Miller was a very good judge, and Frank Gray, that was Kefauver's campaign manager, and the mayor of Franklin and a very progressive man. [He was] never caught up in all that magnolia madness. He was mayor of Franklin, a good man. Estes [Kefauver] had got Kennedy to put him on the bench here, so we had a favorable forum. Of course Miller's history and Gray, I knew. One time, I went down to Judge Miller after the legislature adjourned to get some law declared unconstitutional. He said, Mr. Barrett, I'm going to start setting the first thirty days after that legislature adjourns for you to come down here and get them straightened out.

Anyway, we [said,] who's going to be the plaintiffs? I got Will [Campbell] interested in this lawsuit; we got Rita, who was a teacher at UT; we got Pat Gilpin, who was a teacher at the UT extension; and then Will found a black gentleman, from Wilson County, a young man in high school called Sweat. They became our plaintiffs and we filed on the anniversary of *Brown v. Board*, on May 17 or whatever day it was. We filed, in 1968, that lawsuit. It was Rita Sanders, and then of course she married Paul. Then, she became Rita Sanders Geier, etc. A very simple lawsuit saying that Tennessee still had a *de facto* system of public segregated education, that the expansion of the UT system, [as a] historical white school alongside a historical black school, will further perpetuate that system of *de facto* public higher education. Asked for a hearing, a temporary restraining order. At that time, the old Department of Education had made a million-dollar grant to upgrade the UT extension, the UT branch at Nashville. That's where the money came from to build that building. We sued the United States and we sued the governor and we sued the Board of Higher Education, the Board of Regents, and the UT Board, the Commissioner of Education. We sued the whole state, and we sued for the whole system, not just focusing on TSU and UT Nashville. We sued the whole system. They had just passed an amendment to the Civil Rights Bill which permitted the Attorney General to intervene on cases of national significance. A lawyer named Pat Hardin, who now teaches at UT Law School, a very distinguished libel lawyer. Pat was within the Justice Department's Civil Rights Division. Carlton Petway [was] the first African American Assistant U.S. Attorney here at the U.S. attorney's office, [he's] now dead, [he was] a good friend of mine.

The dynamics of this was, here was Lyndon Johnson, who was President, and Ramsey Clark was Attorney General of the United States, and Buford Ellington was governor. Buford and Lyndon were very good friends, and Buford was a segregationist. Buford and LBJ were close. [Buford] went to work for [LBJ] when [his term as governor ended]. They used to drink together. I don't know what else they did together. Pat Hardin came down here to assess the fact that he

thought that the Attorney General should intervene in this lawsuit, because we had the United States government as a defendant. So, we asked the court to set our motion down for a restraining order, restraining the government from dispersing this money. The reason we did that was to get an expedited hearing. Well, in the interim, Pat talks to Ramsey Clark, who wants to get in the case, and he talks to the President. The President talks to Buford and, I don't know what he said, but [Ellington] was very upset that Lyndon was going to get in this lawsuit, that the United States government was. Well, anyway, they prevailed, so that when we were going to have our hearing, Carlton came in with Pat Hardin and moved to recast the parties and make the United States government a plaintiff intervenor, so the case is *Rita Sanders Geier et al* and the United States government plaintiff intervenor. Ultimately, four or five years later, Avon [Williams] came in with the Tennesseans for Justice in Higher Education, which was NAACP's entry into the lawsuit. Cause I had a three-person law firm, [the help was welcome]. So, [Judge Gray] recast the parties and then set down August for a hearing. There wasn't any facts in dispute that they were going to give the money and that we had this system of higher education. The state's defense was the open-door policy was enough, that if we've got an open-door policy, that's all we have to do. We don't have any affirmative duty to do anything else. Well, Gray took care of that in his first ruling, which ultimately became the basis of the *Forsythe* decision of the Supreme Court twenty-five years later. This refocused....Gray ruled open-door policy was not enough, you had an affirmative duty to eradicate [segregation], and then he gave us time to present a plan within a year and another year and it dragged on until we got to a full-blown hearing in, I think, 1972 or 1973. It lasted almost a month, and that's when, at the end of that, he said, you've had all these years, you've submitted all these plans, none of them are acceptable, you've got to start doing some affirmative things, and the first thing I'm going to do is close UT extension in Nashville and merge it with TSU, and he did that. We were successful on appeal, they failed on appeal. That lawsuit became the basis for the DOJ [Department of Justice], and then the Department of Education, that reemphasized the government's interest in higher education. In every Southern state, they entered into settlement agreements, the [Department of Justice] used the legal basis of this lawsuit for long-range plans to dismantle existing dual-systems for public higher education, or they institute a lawsuit. A [*Knight*] lawsuit in Alabama; *Forsythe* was in Mississippi, and one in Louisiana. All of them sprung out of this lawsuit.

H: Wow, that's a pretty radical move to shut down a whole system.

B: It was very radical. He laid the foundation, though. He really did, he laid the legal foundation. He had his hearing and made his findings of fact and conclusions of law. At one time, because of an obscure Alabama case involving a similar situation, where, I think Auburn wanted to open the Montgomery campus and the

African American college objected, the three judge panel in the Fifth Circuit [Court of Appeals] ruled the judge was in error granting injunction. Gray [thought about] dismissing this lawsuit. Then, in the 1980s, when Bill Leach became Attorney General, he was a wonderful man who's now dead, he decided he wanted to settle it. So we had to spend all summer in negotiations. Reagan was President. The Civil Rights Division was led by Brad Reynolds, who went to Vanderbilt, one of the Dupont's. We entered into a settlement agreement. We had a long-range plan, we were going to grow our own [professionals]. They were going to target seventy-five sophomores each year [of] "other races" [at each school], to aim them towards graduate school, because of the shortage African Americans in various professions: dentistry, medicine, law, etc. Another objective was for TSU to become fifty percent "other races." We had a long stipulation of settlement in the 1980s. Judge Wiseman would set it down for hearing for approval and Reynolds came down here to object, he was the assistant attorney general of civil rights. Of course all that old Reagan garbage was victim-specific, harm, you had to show, based on the Memphis firefighter's case. He got up to start on that, and the Judge [said], I can't understand, Mr. General; how you could litigate this matter twenty years and take one position and now you are taking another. Reynolds started to explain. He said, you don't have to explain to me, Mr. Reynolds, let's just shuck [that cob] right down to the core. He said, you're just against integration, aren't you? Oh, he jumped on him something awful. Then, when he got ready to leave, I said, General, I understand you went to Vanderbilt. He said, yes I did. I said, well, don't trip on your sheet on the way out. He called up a lawyer friend and said, who is that son of a bitch? We went through ten or twelve years of fighting over that stipulation of settlement. Then, Paul Summers became the Attorney General and Justin Wilson, who was then the deputy governor, [who had just] settled a longstanding litigation in East Tennessee in environmental matters. [I said,] Justin, you get off your ass and do something about this lawsuit. He got the government interested in it, and a real desire to settle it, so we ended it in negotiations in 1999, before the new year.

H: What is it with Nashville and these situations of educational foot-dragging on matters? I mean between the Metro school integration and TSU, it's like decades of prolonged struggle.

B: Well, those lawsuits, that's not unusual. Look at *Forsythe*, that's been in court twenty years, *Knight*. The law keeps shifting. I used to argue in *Geier* "from *Brown* to *Green*," from *Brown v. Board* to *Green v. Charlotte/Mecklenburg* [court case that established busing as a means for wide-scale integration] where they laid out all of these affirmative obligation. *Brown* opened the door and *Green* built the foundation. Now you've got *Forsythe*, which came in the early 1990s, which shifted all that. It's a shifting terrain under you. You know, I've had some tenure lawsuits, and academic fights are the worst.

[End of side B3]

B: . . . I think that's what happened. I think that we had a good settlement here, in comparison with Mississippi and all the rest of them. We're on the road, I think – I hope – to eliminate them.

H: Do you think that's a problem in using the law to bring about social change, that it's shifting?

B: [The courts are] really equipped to help articulate general principles, the details really belong to the legislature, in my opinion. You also have to get the legislative process involved, like you did here. You've got a governor that required legislative approval, but you had a governor who, by God, decided that he wanted to settle, and you had a new Attorney General and he wanted to settle. So you've got the stars lined up, in terms of moving the whole political structure, not just support, and the court was nothing but a vehicle to settle it. The judge was glad to approve it. I mean, he was very pleased, but thirty years of litigation is hard to understand. He had settled the *Kelley* case [the original lawsuit against segregated Nashville city schools, started in 1955] too; he approved the settlement of the *Kelley* case. I think that there are nine or ten published opinions in *Geier*. Been up to the court of appeals, ready to be *certed* for the Supreme Court two or three times [meaning, ask the U.S. Supreme Court to rule on the case], and you jump on this institutions, you're really jumping on some sacred cows, all the barons, all these old guys. There a lawyer down in west Tennessee, he's dead now. He was chairman at the athletic committee of UT for years. He went into his office, and all the whole office was was pictures of UT stadium and their football players. They sent a damn plane down there to pick him up and take him to football games. You're talking about sacred cows, really sacred cows. [These are] good old boys who [feel like you're] messing with my school.

H: Well, I think that I probably am taking up too much of your time. Let me conclude by just stop yapping and letting you take over. Is there anything I should have asked about that I didn't?

B: Well, I'm sure I'll think of something.

H: Are there any stories or anecdotes or memories about any of the events that we've touched on or any of the people that you've been involved with? There are probably too many to even start.

B: I guess probably the best one's about Will. I have to read Will's books to remember. He's got some of them in both the *Brothers of the Dragonfly* and *Forty*

Acres and a Goat. I don't know, I'll think of something. I think the most important thing is just to try to get to some of these people that will give you perhaps a different perspective. You know, the memory grows dim with time, but I'll try to remember some of these people.

H: All right, sounds great. This concludes the interview.

[End of Interview]