

*Civil Rights History Project  
Interview completed by the Southern Oral History Program  
under contract to the  
Smithsonian Institution's National Museum of African American History & Culture  
and the Library of Congress, 2013*

Interviewee: D'Army Bailey  
Interview Date: August 13, 2013  
Location: Memphis, Tennessee  
Interviewer: David Cline  
Videographer: John Bishop  
Length: 03:11:00

John Bishop: Now it's going.

David Cline: Today is August thirteenth, 2013. This is David Cline speaking. I am a professor of history at Virginia Tech, also working for the Smithsonian Institute's National Museum of African American History and Culture and the Library of Congress for the Civil Rights History Project. Today we are interviewing Judge D'Army Bailey here in Memphis, Tennessee. And behind the camera is John Bishop of UCLA and Media Generation. And we will begin now. Thank you so much for being part of this project.

D'Army Bailey: I'm honored for the opportunity.

DC: Great. So, as I started to say off-camera, I wanted to start with a couple of questions before we get into the—really, your life story and your story in the Movement. And, if I could, the first question is: To you, what is the difference between an activist and a radical?

DB: An activist is a person who devotes energies to making change to some project or some issue that that person is dedicated to. A radical is a person who is also devoted, in terms of their energies to making change, but they're not bound by the same parameters that an activist is. A radical sees beyond the acceptable barriers for action and conversation and bangs against the outer walls to make progress much farther than is institutionally conceived. Now, being a realist, [DC laughs] even though you're doing that, and you're trying to open new horizons beyond acceptable boundaries, the end result is that you're lucky if you get *to* those walls. But the activist, I think, short sells himself or herself by accepting the boundaries, and therefore—because you're never going to achieve everything that you are seeking. And so, the radical—we posit concepts and agendas for change that in reality we don't expect to achieve. But we're dedicated to it. We fight for it, as if we believe that we will, and that's what keeps us going and makes dramatic change.

DC: Um-hmm. And I think you probably appreciate why I started asking you that question, especially because of the subtitle of your autobiography. And I think—do you think of yourself in those terms, in terms of being both an activist and a radical, or different things at different times, or a radical?

DB: Well, actually, I generally eschew labels. We use that label for the book, *The Education of a Black Radical*, and when I was in politics in California, I and the other two of my colleagues who were elected to the Council were dubbed by the media as being radicals, and it was called “the radical takeover of the Berkeley city government.” I've had that label attached to me. I never used that myself in terms of definition when I was out there, and I really don't use it much today. But I do accept that that's a fair definition of me and my politics. The reason I don't like labels is simply because it makes you more easily pigeonholed and, therefore, you're a much

easier target for those who want to discount what you're trying to do by attaching you with a label. But when I was involved in civil rights in Baton Rouge, my friends were in CORE, the Congress of Racial Equality, and they were big supporters of what we were doing. But it took me the longest of time before I was willing to join CORE because I just don't personally like to associate myself with identifiable groups where I can then be limited, in terms of how people perceive me or what I can do.

DC: Right, right. Very interesting. Thank you. And then, the other big question I want to ask before we get into the biography is: How do you define the Civil Rights Movement? I mean, our project here is called the Civil Rights History Project. And there's a sort of traditional take on what the Civil Rights Movement is, which is often bounded by or focused on Dr. Martin Luther King. But I was very struck at the National Civil Rights Museum that you were a founder of that you begin the story much earlier, basically starting with the story of slavery and coming up to the very present day. I'm interested in how you see the Movement? Is it a much longer battle on many fronts than we sometimes see in the history books [00:05:00] as the 1959 to 1968?

DB: Well, the earlier context of going back to slavery and the abolitionist movement, I can't really claim a great deal of credit for envisioning that as a preliminary to the larger exhibits at the museum. That was a broad context that was created in collaboration with some very excellent designers, including Ben Lawless, who had helped us to lay out much of the plan. But I brought to the creation of the museum my experience in the Civil Rights Movement. We had bought the Lorraine at a foreclosure auction. I knew that it was a place that people would come from around the world, because that's where Dr. King's blood still can be seen on the concrete walkway outside of the room where he last slept.

To me, it was a way of taking the magnetism of the death of King, but not creating a museum about King. The museum that I wanted to create, and it was in large part the sense of my own experiences in the Movement that helped to set the path for what the museum was to be. Because, having come as a young college student in 1960 to the beginnings of the sit-in movement in Baton Rouge, and then having traveled down to Atlanta and visited with the SNCC leaders, and been out into Ruleville and sat down with Fannie Lou Hamer on her front porch, and been at some of the great marches and dramatic scenes over in Bogalusa where the Deacons for Defense and Justice had to meet us and escort us into town and protect us while we were there.

I knew the intensity of that Movement, and I also knew that the Civil Rights Movement was not King. It was not any singular leader, even such a great person as a James Farmer, who was equally very much important to that struggle. But, rather, it was the combination of individuals, those young students that I saw, who inspired *me*, as another student, who were willing to put their education on the line, to go to jail, to have their families worry about them, in some cases their economic security being threatened, their family's security, because their students were involved. And I saw the courage of these people.

And as I would go to these rallies and participate in them and hear the music—that's why we have an exhibit about the music of the Civil Rights Movement: the SNCC Freedom Singers, and of course you know Fannie Lou Hamer was a very great singer at these meetings. I've heard her sing. And Guy Carawan and Pete Seeger.

DC: Yep, yep.

DB: All of that was a part of the spirit. Even Anne Braden and Carl Braden. Well, Anne Braden I came to meet when I was thrown out of school at Southern, and she was editing the *Southern Patriot* newspaper out of Kentucky.

DC: Okay, yeah.

DB: And she would send us words of encouragement and a few dollars here to help us. It was a whole broad range of people that I saw. Will Campbell up in from Mount Juliet, who recently passed, who—

DC: No.

DB: Who was a mentor to me—

DC: I didn't know he had passed away.

DB: In helping to understand the spirit of human struggle. I spent about three weeks at the University of Wisconsin in 1961 at a Southern Student Human Relations seminar, where there were 18 students, half black and half white, sponsored by the National Student Association. And we were studying race issues, and we were bringing in speakers, and Will Campbell and Connie Curry were the two leaders of those sessions for us, and we got to know each other. Bob Zellner, for example, who later became a leader in SNCC, was one of my members of that group there at the University of Wisconsin.

So, it was the process of learning, of studying, of being on the scene. To me, the Civil Rights Movement was the cauldron within which you had this extraordinary mix of spirit, of courage, of people from different backgrounds, and most importantly, young blacks. We were the first generation from our families that went to college. And we didn't go off to college at these black state universities in the South with the intention of creating the Civil Rights Movement. It was completely accidental that the Movement happened in my first year of college and that I became exposed to it. We went off to have a good time, to educate ourselves for [00:10:00] a better opportunities in the world of business and growth. But we were aware.

So, I guess I'll have to look back a little bit in terms of the definition of the Movement, because it was not just what happened in 1960 with the students at Greensboro. But I would remember as a young teenager sitting in a drugstore where I delivered ice cream and things to people in the neighborhood on my bicycle who would order it at the store. But when I wasn't working there, I would sit and look at the magazine rack, where we had *Jet* magazine and *Ebony* and black newspapers from Detroit and *Atlanta Daily World*, and I would read about the Civil Rights Movement. And I saw the picture of Emmett Till when he had been killed, and his bloated body was exhibited in the casket. And being in Memphis, which was so close to these hot spots in Mississippi, I saw those kids over in Little Rock at Central High School and the courage that they showed. And these were kids my age.

My Civil Rights Movement, not as I define it, but as it defined me, was a movement that started probably in the 1950s with the killing of Emmett Till, with the students at Central High School in Little Rock, with, in a somewhat more distant way, the Montgomery bus boycott. And when we were setting about to build the museum, the primary story, and that's why the exhibit is there, and the primary exhibits in the museum start with the Central High School's desegregation—well, it starts with *Brown versus Topeka*, with the large exhibits there, because the '54 decision was a pivotal one. But I don't think that the '54 decision was the fuel that ignited the spirit of black America. I think that seeing Emmett Till's body and seeing those black kids—now, of course, that came as a result of the '54 decision, but it was the hard work, the groundwork that had been done by Daisy Bates with the NAACP there in Little Rock, who had the courage to help those kids to go to school. The courage of all this movement—

DC: Do you remember your actual reaction to the Emmett Till photograph, or, I mean, your reaction but also other people in the community?

DB: [Pause] Quiet shock. I can't say that I was completely surprised. Nor was I overtaken with strong emotion about this, because it was an education. It was a wake-up call more than a shock, I guess. It was a wake-up call that we've got some hell of a struggle ahead of us here, if this is what they'll do to these young kids, to my people, to *me*, that this is serious business. So, it matured me very quickly, as did what I saw those kids at Central High School do and go through. It made quick men and women strong and it began to prepare us for what lay ahead.

DC: That's interesting, because you were "young people," it's happening to young people.

DB: Yes.

DC: Right.

DB: And it was no platitude to say it could happen to me! I mean, I—you know, I would get on the bus when I was going to Southern. I'd take the train from Memphis to Hammond, Louisiana, and get off there. And then, I'd have to take a bus from Hammond over to Baton Rouge. And I would sometimes be sitting in the front section of the bus, because I knew that the law was that they couldn't segregate me, but I'd be the only black sitting up there in the front. And then, as the bus stopped at these little small towns, and this was in 1960 and 1961, whites would get on, and they would refuse to take the seats behind me, and so, they'd be standing in the aisles. And I would just be there in the seat, and pretend that I was sleeping, and just turn and go on about my business. But—

DC: That was an interstate bus?

DB: An interstate bus, yeah.

DC: So that was

DB: Because they would have signs in the bus stations that said “Whites,” “White Women” and “White Men,” and “Colored.” The “White” sign would actually say, “Whites and Interstate Passengers,” but they would also have signs that said “Colored,” and of course they didn’t differentiate between colored men and colored women. Even though by law, since I was traveling from one state to the other, they couldn’t segregate me, but in reality, [00:15:00] you were in quite some danger if you had been—and I would even go on the buses from Baton Rouge to Atlanta, sometimes alone. And why I did that, and where I had the courage to do that—because I could have easily ended up missing.

But maybe I was just crazy like that, I don’t know, but I just felt that I was not born to lead my life letting fear overcome my dignity. It wasn’t that I wasn’t afraid, but it was the question of which would win out. As I would go into these places, I was shaking in my boots, as it goes. But they didn’t know it! [Laughs]

DC: Right, right. Couldn’t let them see that.

DB: Yeah.

DC: Would you mind telling us a little bit about your mother and father and the influence—?

JB: Let’s stop the tape first.

DC: Oh, I should have—

[Recording stops and then resumes]

DC: I have a little time to say it.

JB: Yeah, we have to close the file. Otherwise, it gets bigger and bigger, and if anything happens, we lose it all. So, we’re going again.

DC: Okay. So, if I could ask you to tell us a little bit about your parents and maybe their influence in this regard. And I know a little bit about what they did for work, and there's a story there, as well, I think, about independent African Americans and the tradition of the Pullman porters, for example. So, could you tell us a little bit about that?

DB: Well, it was a struggle for both my mother and father, neither of whom finished high school. They got married while they were both in high school, and so my daddy went to work with his father, who was building and repairing houses. And my grandfather was sort of an entrepreneur, after whom I'm named, and—

DC: Is that in Tennessee?

DB: Yes, although he was born in Mississippi, near Shelby County, up near the Tennessee line, actually. So, when I was growing up, my mother was—the earliest work that I remember her doing was as a housekeeper at a medical clinic, at a doctor's office. And they treated her very well. I mean, they treated her with respect. She would even double as a receptionist at the clinic, although these were white doctors and their clientele was white. But she was basically a maid, but she was respected and she carried herself with dignity when she was there at the clinic. And she worked with Dr. Segerson, E.C. Segerson was the physician. And I remember that following her work at the clinic—and we would go visit, my brother and I, sometimes, and we were, again, we were treated with respect.

And my grandfather, in addition to the work that he did with his own business, pardon me. My grandfather, Papa, as we called him, would work for two white women, sisters, who were wealthy, and they let him plant cotton on the back field of their yard, as well as peanuts. Again, they treated Papa with a great deal of respect. My early experience, both in terms of my

mother and my grandfather—my father, as I said, was working with my grandfather in those early years.

Following the early work with his father, he started working for the railroad here in Memphis. He worked as a mail handler, so he would unload the mail from the trains onto carts at the station, and was able to initially get promoted up to work as a trained porter, first part-time, and then, he got a full-time position with the Illinois Central railroad. And Daddy worked the line from New Orleans to Chicago. He'd get on the train here in Memphis, and then he'd go to Chicago, and then back to New Orleans, and then come back and get off here at Memphis.

And as a result of him working with the railroad, we could travel free, my brother and I and my mother and, of course, my daddy. He would take my brother and me to baseball games.

DC: Oh, yeah.

DB: And we'd go to St. Louis and Chicago and Detroit. He'd take us over to St. Louis, and I saw some of the early black stars, Jackie Robinson and Roy Campanella, and Don Newcombe. We were just kids. We stayed in a little black hotel there in St. Louis. [00:20:00]

My mother always respected the maturity of my brother Walter and me. We had some latitude, in terms of what we could do as young people. We could go out at night and party late and borrow my daddy's car, because we acted responsibly. She knew that both my brother and I were working with some black political people here, doing political campaigns in the late '50s and early '60s, even as we were early on in college. There was no criticism of that.

DC: Were they involved at all, your parents, or were they just supportive of your activity?

DB: No, they were not politically—I mean, they were voters, but they were not organizationally active. Now, my mother was—she went back to school and got her GED and

then she got licensed as a barber. She was one of the first black female barbers in Memphis. And then, she did that for a short while—well, a short while, it was probably four or five years—at a barbershop in the center of the black neighborhood in South Memphis, Mississippi and Walker, where we grew up. And after four or five years of cutting hair, she went back and got her license as a nurse and became a licensed practical nurse and worked first at—well, she was one of the first black nurses at St. Joseph's Hospital here in Memphis, and worked for many years, ultimately retiring in nursing.

My father, in addition to being a train porter, he liked to play checkers and pool, so he had a lot of friends and he was outgoing, very proud of his two sons. But he was probably a bit more cautious or savvy, I should say, and therefore, he didn't particularly urge us to be shaking at trees or rocking the boat. I remember that when we would go down to the train station to get on the train to go down to Baton Rouge, when you got to go up onto the train, the conductor would ask you where were you going. And you'd say Baton Rouge or Hammond, and they'd say, "To the left." Well, actually, "to the left" was where the blacks were being sent, and "to the right" was where the whites were being sent, so it didn't really matter where you were going.

DC: Right.

DB: But I would—sometimes if my father wasn't there, I'd go to the right into the white section and sit down. But typically if he was with me, or my mother and I, then I wouldn't get them too upset about doing that. But they knew that Walter and I—Walter was a football player and a very good one, so he was with the jocks, to some extent, in the early years. He later decided, in part because of the civil rights efforts that were going on, and he had been put off campus when I was expelled from Southern because of my activities. And they lodged him in a

dormitory of married students, a number of whom were law students, and that's how he got interested in a career in law.

But my mother was supportive when I was expelled from Southern in my junior year. And I called her and told her about it, and she was very calm. She took things calmly. And my father did, as well. He was very supportive. But I guess it was the calmness and the serenity and elegance, in some ways, quiet, of my mother, and the strength of my father. But she really kind of nurtured, I think, in her own way, not by advocacy, but by supporting us, the sense of independence that I developed and that my brother developed.

DC: Um-hmm. And even before you went to Southern, you were involved in some local organizations, right, with the NAACP and in Shelby County? Can you tell us a little bit about what those organizations were doing at that time?

DB: Blacks did not have a big [00:25:00] challenge to vote in Memphis, because for many years in the 1940s and into the 1950s, Memphis was run by a political boss, one of the nation's premier bosses, Boss Crump. And the Crump Machine controlled politics not only in Memphis, but across the state of Tennessee. Part of his strength came from the black vote, and so Crump would have certain people that were his lieutenants in the Memphis black community that would help corral and deliver the black vote for him. And these lieutenants would in turn be influential, so that if black people needed a job or needed some contact, then they could go to these lieutenants. So, the blacks were able to vote in Memphis early on. When the Crump Machine went into its decline in the early 1950s—by the mid '50s, there was no longer a Crump Machine, but you had a tradition of voting among blacks.

Now, the NAACP was the premier black political organization during that time, composed of some black business owners and professionals, but also a lot of rank and file blacks

were—constitute the NAA. That was about the only really noticeable civil rights group here. There wasn't a SNCC or a CORE in Memphis at the time.

DC: Sure.

DB: And the NAA was a little bit more cautious in its strategies than some of the groups that emerged in the Civil Rights Movement, such as CORE and SNCC. To that extent, the thrust of the NAACP was into the political arena, working with a group of black Democrats that formed the Shelby County Democratic Club.

DC: Right.

DB: And that was the strongest black political organization here during the time that I was growing up as a teenager. My brother and I worked as volunteers with the Democratic Club, going to their meetings. We would go out on the sound trucks during elections and speak on the microphone on the sound trucks and put out literature in the neighborhoods, urging votes for white candidates that were not segregationists. In those days, we supported white candidates primarily on the basis of whether they were for or against racial segregation.

DC: Right.

DB: And these would have been liberals or moderates at the time, so the Democratic Club was very active in supporting those candidates and then beginning to support some trailblazing black candidates. In the late '50s, there were at least a couple of black candidates, Dr. Walker, J.E. Walker, who ran for the school board. He was one of the leading black businessman. And also Russell Sugarman, who ran for the Commissioner of Public Works. And that became sort of—those races, particularly the Sugarman race, became sort of cause célèbres, because there was a good chance that Sugarman could have won, except that the white community coalesced to force out some of the white candidates in order to focus their support

around one, who was Bill Ferris, because there was no runoff, and they were fearful that if they didn't do that, Sugarman would win.

So, that became kind of, I guess, in a way, my first introduction to the politics and also the politics of race, and they were inextricably bound together in the late '50s. In Memphis, the way of civil rights in the late '50s was more of a political effort than it was openly race-based. So, by the time I came through high school here and left in '59 off to college, Memphis was still sharply segregated. The amusement park, we could only go to the amusement park on Tuesdays. And if the Tuesday was a holiday, then we couldn't go. We'd have to wait until the following week, because whites would go. And the same thing with the city zoo. We'd go on Thursdays. And the schools were still segregated, the buses were segregated. So, right on into the end of the 1950s, racism had not been tackled directly here in Memphis, as it had begun to be tackled in, say, Montgomery with the bus boycott in '55 and '56.

DC: But even those white candidates that you describe the black community as—

JB: Can we pause for just a second?

DC: Oh, yeah.

[Recording stops and then resumes]

DC: Perfect.

DB: Part Two. [Laughs]

DC: [Laughs] Part Two.

DB: [Laughs] Part Three!

DC: So, even those—even the white political candidates that the African American community did support because they weren't strict segregationists, they weren't really dismantling the system?

DB: No. No, they were not. [00:30:00] But that was dramatic to have a Commission candidate or to have a candidate for Senate, which we did. In fact, he won. He served only a short time, Ross Bass, Democrat. George Grider, who won a seat for Congress. And, again, they were not pro-segregationists. Well, they spoke in terms of the need for change.

DC: Okay.

DB: And that was all we could expect. But basically they were not tilting at dramatic change in the system of racism that we saw here. But those were the—but these were the baby steps that were necessary, and they were important to us at the time.

DC: Okay, and so, that was the Shelby County Democratic Club. The NAACP—was there a youth organization here in Memphis?

DB: No, not at that time. That's why my brother and I were, ordinarily in today's time would have been part of the youth organization. And I think that it was good that there was no youth organization. We were thrown in there with the seasoned strategists, and we were in the meetings with them, and we were treated not as youth, but we were treated—in fact, one summer I worked for the club, and the sheriff, Sheriff Hines, M.A. Hines, who was a white sheriff here. I got paid for doing my work with the club by the sheriff's office, because the club was supporting the sheriff. So, he hired me—and I don't know, I might have gotten \$40 a week, which was a nice little stipend—and my job was to go out and find bootleggers and let him know who was selling corn whiskey out in the county areas. I'd go out to the bootleggers' and buy a half-pint of corn liquor, and whenever it was time for me to go get my check, I'd take it down there and tell the sheriff they were still out there and give him my half-pint of whiskey and get my check and keep on going.

DC: [Laughs]

DB: But that was support. That was how—you know, I mean, that was the nature of the give and take of our relationships that helped us to get things done.

DC: So, you had your eyes opened to how politics really work at a young age.

DB: [Laughs] Indeed I did!

DC: Yeah, yeah. Very interesting. And so, then, when you went on to college at Southern in Baton Rouge, you came down there as things were beginning to happen politically down there with some experience.

DB: Yes. And, in fact, I ran for president of the freshman class at Southern and was elected, which was actually an interesting—a good feat, because I was an out-of-stater. Most, the vast majority of students at Southern were from Louisiana. And our class was probably about somewhere between 1200 and 1500 students. So, it gave me a forum, an opportunity to speak out with the students. And, again, at the beginning, when I was elected president of the freshman class, it wasn't a civil rights agenda, although I was becoming aware of what was happening in South Africa, because they had had the massacre in Johannesburg, where some black activists—and so, I was beginning to at least sense not just the national thrust of change, but the international by the drama of these people being massacred over there in South Africa. And I had talked a little bit about that on campus. I wrote a column in the campus newspaper. I didn't do that until my second year at Southern.

But I was beginning to emerge, I guess, as a student leader on the campus, but not with any defined agenda, but just working with other students to have nice parties. I brought in a band from Memphis, which was great for the people in Baton Rouge, because they had never seen a great rhythm and blues band like I brought in. They came in with their trailers, I mean, little—I don't mean these big trailers. I mean trailers on the back of cars. Gene “Bowlegs” Miller just put

on a hell of a show there. And I brought Arthur Prysock to appear at one of our dances. Because Walter and I, we used to, when we were teenagers, I mentioned that my parents would tolerate us going out. We'd actually go to some of the adult—I mean, some of the—

DC: Clubs

DB: Mature clubs, nightclubs. [00:35:00] And drink whiskey and listen to the music. But we would come back and we would handle ourselves responsibly. So, I was already introduced to the entertainment circuit, and I just brought in some of those entertainers, at least like that band, anyway, that I brought from Memphis. And, of course, I didn't have any previous contact with Arthur Prysock, but we brought him there, as well.

So, it wasn't just political that I was engaged in when I was at Southern. I was just, as I said, a student leader, having a good time and enjoying Louisiana. It was a nice change for me, the environment. The students were—they had beautiful women. Southern had some of the most beautiful coeds of any college on the black college circuit. And they had a great band, Southern University Band. So, it was a great experience for me in my first year there.

DC: Um-hmm. And what year was that that you first went?

DB: '59.

DC: In '59, okay, alright. So, and then Greensboro happened.

DB: In that March—well, that February.

DC: Yeah, that spring, right, winter/spring.

DB: And I didn't know, but within a month or two of that, some students from Southern went and got arrested. And we didn't know, "we" meaning most of the students, that they were planning to do this. And that was a real eye-opener to us, not just that they'd gone down there

and been arrested, but then, when they were released on bond and got back to the campus, and the administration chose to expel them from school.

DC: And this is—they sat—can you tell us just a little bit about what they did? They sat in.

DB: Yeah, they went and sat in at some lunch counters in downtown Baton Rouge, and they were arrested and charged with disturbing the peace. In fact, the first group of them that did that led to the first U.S. Supreme Court decision, *Garner versus State of Louisiana* that affirmed the right of demonstrators and paved the way for many of the subsequent demonstrators to proceed without being prosecuted. And the basis of the *Garner case*, *Garner versus Louisiana*, was that these Southern students had been arrested in downtown Baton Rouge, and the state had accused them of disturbing the peace. And the Supreme Court decision was that—and the theory of disturbing the peace was that they were peaceful, they went and sat at the lunch counters, but that they would stir other people, white people up, who would attack them, and that was disturbing the peace! And the Supreme Court said in that decision, reversing the convictions, because they were convicted at the state level, that you cannot be convicted of disturbing the peace because your peaceful conduct provokes someone else to engage in unlawful conduct against you.

DC: Right. Fascinating.

DB: And so that was a pioneering case that came out of the first year of demonstrations there at Southern.

DC: Amazing how the law works sometimes. You know, you could charge someone for inciting a riot, I guess, by being peaceful. [Laughs]

DB: Yeah! In fact, two Supreme Court decisions came out of—two years later, because the *Garner* decision was rendered—the kids were arrested in 1960, but the decision wasn't rendered until 1961, which is pretty quick for the Supreme Court.

DC: Very quick.

DB: But that came out in the autumn of '61. Later that fall, the students at Southern started demonstrating again. And I was then part of a large demonstration of students that marched into downtown Baton Rouge in December of 1961. And we were teargassed, and dogs were set upon us, and some of our leaders were arrested. And one of our leaders who had been an organizer for the Congress of Racial Equality, Reverend B. Elton Cox, was arrested there that day. And that led to a second Supreme Court decision, *Cox versus Louisiana*, in which the Supreme Court reversed the Cox conviction. And they accused Reverend Cox of violating a Louisiana law that said that you couldn't demonstrate at a courthouse, that it would be intimidation.

And the Supreme Court actually went through some—it was a divided opinion of the court. And they ended up reversing the conviction by saying that, well, he actually had permission of the police. [DC laughs] Well, I was standing next to Cox when we marched, and I know that he didn't have permission of the police, because we got stopped twice. And the first time the police officers told him, and my brother and I were right there at the head of the line with Reverend Cox, as we formed around the old State Capitol in Baton Rouge and were getting ready to march. And the police captain came over and spoke to Reverend Cox and said, "Turn these students around." And he said, [00:40:00] "Well, we came here to march, and we're going to be peaceful." So, we started out to march, and they stopped him again. And they said, "Now you've had your say. Now, I'm going to have mine. I want you to turn these students around."

And Cox said, "We're going to proceed to the jail. We're peaceful." And so, they stopped him twice.

Well, the Supreme Court took that as being that he had gotten permission to carry on the demonstration at the courthouse, well it was really—he was violating the order of the order of the police is what he was doing. But they didn't—they let us go on to the—because at that point they either could break us up and start arresting us, or let us go on to the courthouse, to the jail, because it was both a jail and courthouse. And we were really going to protest because our students were in jail down there. But the arrest was based on the fact that we were *at* a courthouse.

DC: Right, right. And that was a state law?

DB: Yeah. And many states had that.

DC: Right. And so, that changed that?

DB: Well, yes—well, it changed it—it didn't really. The court danced around it because, as judges themselves, they didn't want—[laughs]

DC: [Laughing] People on the steps.

DB: [Laughing] So, that's why they did this flip-flop about, "Well, he had the permission, so it really wasn't a violation of the statute."

DC: Okay. So, they didn't—so, the statute was left unchallenged?

DB: No, they didn't overturn the statute.

DC: Oh, very interesting, very interesting. Because, of course, the courthouse is a potent symbol and a common place to demonstrate.

DB: Yes. And the court wasn't—you can tell from the opinion, if you ever read *Cox versus Louisiana*, that they certainly didn't want to say that you could come on the courthouse steps and protest.

DC: Right, right.

[Recording stops and then resumes]

JB: Okay, we're back.

DC: So, you were involved in those protests, and the result of your involvement in that was what at Southern?

DB: Well, by the time of my junior year, because the first wave of protests that happened in 1960, upon the—in the wake of the Greensboro sit-ins, did not yield any breakdown in segregation. The restaurants continued segregated. And things quieted down, because the expulsion of the student leaders continued.

That summer was really my first venture outside of the South where I was in an interracial setting when I went to the national convention of the United States National Student Association, as one of the two delegates from Southern. And these were student leaders from around the country, black and white, including many from the South. And there was a great debate going on at that convention, because the Southern schools were mad that the leadership of the National Student Association had endorsed the sit-in movement, and they wanted to reverse that decision. The entire convention was overwhelmed with the debate about whether to support the sit-in movement, which the convention ultimately did. But here I was, on this campus with some of the best student leaders, both conservative and liberal, from across the country, arguing about the issue of the sit-in protests and about civil rights.

DC: And this was where, again?

DB: At the University of Minnesota, on the campus of the University of Minnesota.

DC: In the summer of 1960?

DB: The summer of 1960. And that's where I got to meet people like Allard Lowenstein and Tom Hayden. Barney Frank was a student at Harvard at the time and one of the outspoken supporters of the sit-in movement, fighting against the Southern schools that wanted to reverse the endorsement. I mention that, because not only was this my exposure to white activists, but it also was, for me anyway, the pivotal chance to see that the student activism—you see, it was a whole different climate at that time, not just black students now, but white students.

The National Student Association was a strong national organization, based in Philadelphia, that had a budget, it had a lobbyist in Washington that was working to lobby Congress on issues that the students took positions on. Allard Lowenstein, who later went to Congress, was one of the sort of—he wasn't a student at the time, but he was very close to the students, and he was sort of one of the liaisons between the student associations. So, we had a national student group then. Now, the NSA also had its international wing that was called the— [00:45:00] well, it was the International Division, which later was associated in some kind of support from the CIA, and it was an embarrassment to the NSA from that. But the national section of the NSA was not caught up in that.

But I saw in my two years of conventions at the NSA, again, some of the great issues and debates of the time. That was when HUAC—there was a big debate about the House Committee on Un-American Activities, and they had had the demonstrations out there. And there was a film that was put out by Fulton Lewis III that attempted to brand all of the activists as communists. I can't remember this film now, but they were going around the country trying to persuade people

that this was all a communist plot among the students. And I saw a great debate on the Wisconsin campus in the summer of '61, the following year, after I had done this seminar there.

So, I mention those things to say that, by the time I was in my junior year at Southern, my horizon had expanded in terms of understanding the national and even the international dimensions, but particularly the national dimensions of this movement. And it was not just then confined to the energy of southern black students, but it was confined to the supportive energy of white students from different parts of the country. I could see a strong movement that I knew was there to last, and it did last.

Out of NSA came the Port Huron meeting of the students and the formation of the Students for a Democratic Society. In fact, I have one of the original Port Huron statements among my papers. And that was, of course, the statement by those who gathered at Port Huron, Michigan, to give sort of their treatise on the things that needed to be changed in America. So, again, if you think in the context of what makes a radical, those who gathered at Port Huron and formed the Students for a Democratic Society. And, again, I knew many of these people. I wasn't at Port Huron, but I was close enough to these people in their thinking and my associations with them, not just at these conventions, but in later meetings, because I would go back to—when I was in Massachusetts, up to Yale, and we would meet on the campus there, and student leaders would come from different parts of the North to gather.

But when I was in my junior year at Southern, protests broke out again by the time of that decision in the Cox case. And Cox was arrested and prosecuted, and that was in December of '61. And the president closed the school, the president of the university, and ordered everybody home early for the holidays. When the school reopened, we still had a number, about 20 of our students still in jail that had caused us to go down and protest to begin with. We started a boycott

on the campus, because we wanted to be assured that these students were not going to be expelled. We started rallies, and the administration asked us not to do that.

And they called me to the dean of men's office one night, my brother and me, and the dean of men talked to me and told me that if I spoke at the rally that we had planned, the next rally, that he was going to—that I was going to be expelled from the university. And so I spoke. And they called me to the dean of men's office within a day or so, and the dean of men and the dean of students talked to me and gave me a letter expelling me from the university.

And simultaneous with the time that they had me in this meeting, the president of the university had called a campus-wide assembly of students in the gymnasium and announced that, because of the ongoing protests, that he was going to close the school and that all students had to be off campus by five o'clock. This was a noon rally. You've got students there from all over the state of Louisiana who don't know how to get back home. They've got to make accommodations, they've got to get money and they've got to contact their parents. And it was hectic and very scary to many of these students.

I didn't know quite what was going on because, as I said, they had me in the dean of students' office. They handed me this letter, and it said that my connection with the university was being ended, [00:50:00] and they said I violated Rule 18, and it was a rule in the University Handbook that was entitled "Lack of University Adjustment." And the rule read that "the University reserves the right to sever a student's connection for general inability to adjust to the patterns of the institution," period.

DC: However they interpret that, right?

DB: Well, as I was told, that this was a rule that they were using when students were homosexuals to expel them. But most of the students who had been in the Movement, you see,

they were expelling them because they had been arrested. Well, I hadn't been arrested at that time. The only rule that they could find that they could use to justify my expulsion was this Rule 18. With that expulsion, actually, I did not leave campus that night. I stayed in my dorm, because a lot of the students actually couldn't literally get off campus that night. But the campus was on lockdown. And we soon thereafter had to move off campus into a black hotel in downtown Baton Rouge and were banned from coming to the university campus.

DC: Amazing. So, that must have sown all sorts of—I mean, you're talking about the chaos of everyone having to leave, but then, that sows sort of recrimination, I would think, among the students, too.

DB: Yes. And there was confusion, because when President Clark announced that the school was closing, he told the students, "We don't know when the school is going to reopen. And we'll send you—if you're to come back, we'll send you a letter. If you don't get a letter, don't come." It wasn't just then a matter of those students, because some other students, those who had been arrested, and a handful of other leaders were explicitly told that they were expelled. But many students were not told that they were expelled. They just did not get a letter to come back to the university.

It opened about two weeks after Dr. Clark closed it. I think it was about ten days that he reopened the university. In the meantime, we were trying to keep the boycott going and trying to get kids. And three of us who had been expelled took a taxi from downtown back to the campus to make a stand by attempting to register. And the police quickly surrounded us on the campus. And fortunately for us, one of the university security put us in a car and drove us to the edge of campus as we were followed by Louisiana troopers. Otherwise, we would have been arrested on the campus. But they didn't want us to be arrested at that time, so they drove us off the campus.

But that was how determined they were to quell any continuing protests, and they did. They killed the Movement. At least, they killed it for a time there.

DC: Yeah, yeah.

JB: I'm going to pause.

[Recording stops and then resumes]

JB: We're back.

DC: Now, how devoted were you to the concept of nonviolence in your protests there, and did you ever think about other options, other ways of protesting?

DB: We really—it really wasn't a choice. To me, the whole concept of nonviolence was, for us, really more of an academic issue, because strategically you didn't have much choice but to be nonviolent. I mean, if you're going into a lunch counter or, as we were, 3000 of us marching from the campus to downtown Baton Rouge, and they've got police dogs and they've got tear gas, it didn't make any sense to be violent. How are you going to fight back with something like that? It's all you *could* do. So, yes, we were—strategically, we were all well-dressed, orderly, and even as we ran with the gas and with the dogs, we tried to maintain some decorum among ourselves.

But I would go, as I said, periodically, down—in fact, I was holed up in this black hotel in downtown Baton Rouge, where we stayed for, oh, I guess, three or four weeks, trying to carry our movement on, and our bill was being paid by the national office of CORE. SNCC, the Student Nonviolent Coordinating Committee—one of the leaders that had gotten us stirred up in this second wave of protests was a young man by the name of Dion Diamond, who had come to Baton Rouge. But Dion was a SNCC organizer that came to the Southern campus. Now, there were organizers from New Orleans who had been with the Congress of Racial Equality, who

were also involved. Well, Dion was arrested quickly [00:55:00] for his coming on the campus, speaking and raising hell. So, because Dion was in jail—we were out of school, we were down at the black hotel—SNCC sent into Baton Rouge two of its field secretaries, Chuck McDew and Bob Zellner.

DC: Okay, yeah.

DB: Well, Bob I had known. We were both at the seminar at the University of Wisconsin the year before. They came and checked in at the Lincoln Hotel, where we were. And they were going to visit Dion at the jail. And they went down to see Dion and they were arrested. They looked into Bob and Chuck's briefcase, and found some literature and stuff, and accused them of criminal anarchy and sedition, and arrested them.

Because of that involvement of the SNCC leaders, I then started going to Atlanta for some of the SNCC staff meetings, and that's how I initially got to know John Lewis and Julian Bond. Julian was editing the SNCC newsletter, the *Student Voice*, and John was active in SNCC, and Jim Forman was the national director. I went to a couple of the SNCC meetings in Atlanta from Baton Rouge, and some of the CORE people, Dave Dennis being one of them, who was a CORE field secretary who was staying with us at the hotel, but hadn't been a student, they were suspicious of what I was doing, going to Atlanta meeting with the SNCC people. And I hadn't joined CORE—we had created our own student organization called Student Action Committee, I think—because I just didn't want to be identified with a formal group. At one point, they even looked at my mail that was coming from SNCC to see what kind of correspondence was going on.

Now, I mention that as an aside only to suggest that there were some rivalries. Now, I wasn't part of those rivalries, because there was nothing sinister, or one group plotting against

the other, but there was just that sort of group, I guess, self-protectiveness of turf, I guess, or whatever you want to call it, and I was not a part of that. But by doing that, by getting to know some of the SNCC people, it expanded my base of contact with the Movement, because, by the time I left Southern and went to school in Massachusetts, the Northern Student Movement, which was run by Peter Countryman, a young white student up at Yale, had been formed by Peter and some of his people, Tom Gilhool and some others. It was based there, so I would go over from Worcester to Yale to some of the NSM meetings. Well, because NSM was so closely allied as a support group in the North for SNCC, then the SNCC leaders would come up to the Yale campus for some meetings, and so I would go over to New Haven. In fact, I started a chapter of the Northern Student Movement in Worcester.

DC: Oh, you did?

DB: And we started tutoring and having some anti-discrimination demonstrations against some businesses in Worcester.

DC: Now, how did you end up at Clark?

DB: Rather by circumstance or accident, I guess. After I was expelled from Southern, I was at the Lincoln Hotel. We filed a lawsuit to try to get back in. We sued in federal court with lawyers from CORE, a law firm out of New Orleans, Collins, Douglas and Elie, which is a black law firm that was helping us. And they made a compromise with the university that they would let most of the students that had been expelled back. There were two of us that they would not take back, and that was me and Ronnie Moore, who was one of the other student leaders.

And I was told that the president was mad at me, because I had called up to his house one day when we were—a group of us student protesters wanted to meet him, meet with him. And I couldn't get him on the phone. And I think I might have spoken to Mrs. Clark, and I said—I

mean, I'm not sure—but I said, “If he won't meet with us, we'll just come up there to the house.” So it may have been his office. I'm not sure but, in any event, I'm told that he was angry about my rudeness in that encounter, because I remember that we ended up marching to his house. [01:00:00] That was a little bit later, I think, because we had an all-night vigil on his lawn. But this was also before we had been expelled, so Dr. Clark apparently was pretty clear that he didn't want me back.

DC: Yeah.

DB: So, they settled the lawsuit, and it didn't bother me that they settled it and said that I wasn't going to come back, because maybe by that time I already had the offer to go to Clark. I'm not sure. That came because Walter Williams, who was a black student at Jackson State in Mississippi, was in the seminar with me at the University of Wisconsin the previous summer. Walter had been offered a scholarship to go to Clark, because he'd been expelled as student body president at Jackson State. And he said, “Well, I'm going to go in the military, but contact my friend D'Army Bailey in Baton Rouge. He's been kicked out of school there.” So, they contacted me while I was at the hotel there in Baton Rouge and offered me a scholarship to go to Clark. I didn't know anything about the university. I'd never heard of it. I looked at the catalogue and saw all these white kids and this completely alien-looking environment to me, you know.

DC: [Laughs] In Worcester.

DB: But, you know, it was a—I could tell it was a good school, and I didn't—I wasn't in any other school.

DC: Right.

DB: I came back to Memphis, and then I had to take the SAT test here in order to—I mean, I had been admitted to Clark, but I had to take the SAT, nevertheless. I went to what is

now Rhodes College, which is just a block away, and I took that the summer before I went to Clark. I mention that because, at the lunch break, the test administrators came over to me and pulled me aside, and they said that I couldn't have lunch with the rest of the students who were taking the test. So, two or three of them very nicely—I mean, they were nice about it, but they took me to the faculty dining hall on the side, and I had dinner or lunch with a couple of them, because I couldn't with the—and this was in 1962.

DC: Wow.

DB: But I took the SAT and then, that fall, I went on to Clark. Well, how did it come about was that a number of student leaders in the South were being expelled. This was a gesture made on—led by students at Clark University to raise money. And they had car washes and bake sales and the like and they raised a couple of thousand dollars, and the university may have chipped in a little bit and offered a scholarship to some student who had been expelled from a Southern school, and consequently, that's how I ended up there.

DC: Were there other schools that were doing similar things? I'd never heard of that.

DB: I don't know. I do know that Senator Javits made note of the Clark effort in the Senate Records there, because it was an outstanding gesture on their part at the time.

DC: Um-hmm. And, as you mentioned, it was a bit of a different world that you entered into in Worcester, coming from Tennessee and also Louisiana.

DB: I didn't know, really, what to expect. I mean, I knew I had a free train ride, because my father—I could get the pass to ride up to Massachusetts. I'd have to go all the way up through upstate New York, because I had to follow the route that—Illinois Central had partnership with New York Central, and so I would go Memphis to Chicago, and then from

Chicago up through Poughkeepsie and Buffalo and all those places to ultimately get to Boston, well, actually, to Worcester.

And when I got there, the school had picked out two nice students, Bob—I have trouble remembering his last name—I think it was Miller, and Fred Jealous, and they met me at the train station. And they had an apartment that I was to share with them, and so, they took me over. Fred, by coincidence, is the father of Ben Jealous, now the national head of the NAA. But I roomed with them for the first year that I was there in the apartment, which was in a building owned by the university.

DC: Um-hmm. Could you have lived on campus? Was that an option?

DB: Yes, it was, I think. But I think the university was wanting to create an environment for me with two, I guess, volunteers or nice students, and a nice little—I mean, it wasn't fancy, but a nice apartment. So, it never came up. I mean, they had the place for me when I got there.

DC: Right, right.

DB: I just went and—I remember my 21<sup>st</sup> birthday party, they gave me [01:05:00] a fifth of Jack Daniels and [laughs] so they were nice. When I first got to Clark, the students were—of course, it was—I was something of a cause célèbre, because I was the one that they had raised the money to bring up there.

DC: Sure, right.

DB: And kids would want to talk to me about the South. And initially, I would talk to them about the South and civil rights and the like. And then, I got tired of it. I got tired of just talking about race in the South, and I started asking them about what was going on in Worcester. Well, Worcester didn't have a large black community. It was only about three thousand out of, I think, a couple of hundred thousand people. But that black community that they had was in a

segregated area of the city, and there was not much interaction of that community with the rest of the community. As I said, the department store downtown didn't have any black clerks. The big factory there, Wyman-Gordon, which was run by the national secretary of the John Birch Society, had 18 black employees, and they were all janitors.

So, by going over to the Yale campus and getting support to start this Worcester Student Movement, this WSM chapter, on the Clark campus, I drew in students, liberal white students from the campus, as well as a handful of people from the black community in Worcester. And we formed a group and started having meetings. We began tutoring. The main mission of NSM, a part of its mission, was to tutor kids in inner city neighborhoods. We had volunteers and were tutoring those kids. Out of our effort in Worcester was created an organization called Prospect House, which is now an ongoing community institution of some importance to Worcester. Abbie Hoffman was living in Worcester at the time and had come out of Brandeis and needed a cause, and he attached himself to our efforts, even though he wasn't a student, but he was living there. And he became sort of a self-appointed publicist for us, putting out a newsletter called *The Drum*, and he came to our meetings.

But we were primarily students and members of the Worcester black community. And we set about the business of finding out what was happening on the job front with minorities, and we did tackle the largest industrial employer in Worcester, Wyman-Gordon Company, which, as I said, was run by Robert Stoddard, who was the national secretary of the John Birch Society. We went and met with him and asked him about his employment of blacks and whether he would promote them. And he said, in essence, no. We picketed his plant and brought the plant to a stop, at least for one day, because the teamsters wouldn't cross our picket line. And I filed complaints with the Massachusetts Commission Against Discrimination and the Defense Department,

because they were a big defense contractor. And investigations were undertaken by both agencies, in which they found some cause and demanded, or required that the plant undergo some change.

So, this was a case of not only were we putting pressure, starting as just a group of young activists, but we were putting pressure on this big factory. And Stoddard was not just the owner of Wyman-Gordon; he also owned the *Worcester Telegram & Gazette*, which was the local newspaper, and the local radio station there, WTAG, and was on the board of Clark.

DC: He had a lot of power.

DB: Yes.

DC: Locally.

DB: In fact, the president of Clark called me in the day of our picket and was gently trying to dissuade us. He wasn't heavy-handed about it. But, by that time, when I called over to the picket line, they were already started. I had a good out with Dr. Jefferson that I couldn't stop it, because it was already started. I mentioned the multifaceted strategy: picketing, but also those complaints with the Massachusetts Commission and with the Defense Department. So, here we were, using multifaceted strength against this corporation and made them change. And it was clear to me that you *can*, as a small force, but if you use the right strategies and do your research and know where the vulnerabilities are, you can force corporations to change. And that's what we did in Worcester.

DC: Um-hmm.

DB: When I graduated, there was an editorial in the student newspaper [01:10:00] that said, "One is Enough," and the editor was talking about that some students had talked about

having another campaign to raise funds to bring a student from the South, and they said, “We’ve had that experience once before, and he found racial problems under every rock,” so to speak—

DC: [Laughs]

DB: “And we don’t need to do that again.” And the next issue of the Clark paper, though, had a page full of letters in opposition and in support of—

DC: Support, yeah.

DB: That I wasn’t really that terrible of a force on the Clark campus.

DC: [Laughs] Right.

DB: Clark gave me an honorary doctorate of laws three years ago.

DC: Okay, great. [Laughs] Now, you know, this is—

JB: Pause for a second?

DC: Okay.

[Recording stops and then resumes]

JB: We’re back.

DC: I’m curious about, you know, we’re—now, we’re in the North, and it’s a couple of years later. You had been talking about the sort of—the very real sort of fear and intimidation that was so prevalent in the South when you first went, say, down to Southern. What was the situation like that you found a few years later, and up North, around Clark and in Worcester? And what gave you the strength to do things like challenge the national director of the John Birch Society?

DB: I didn’t have much fear in Worcester. The opposition to what we were doing was—there wasn’t any visible—there were some students, actually, from the Clark campus, who counter-picketed us against us when we picketed the plant. But the police in charge, the sergeant

at the scene of our protest, came over to me because they had wanted some of our students to let the trucks come through. And, as I said, the teamster trucks refused to cross the line, but there were some company-owned trucks that wanted to come on into the plant, and some of the students had taken it upon themselves to decide that they would continue to circle in the driveway and not let the trucks through. So, the police in charge came over to me and he said, "Look, I don't like this son of a bitch any more than you do, but we'll have to—you can't continue to block this driveway," because Stoddard was nonunion. He said, "But you can't—you're going to have to do something here."

I spoke to the kids and I told them, I said, "Look, they've said you're going to have to stop and let these trucks in, or you're going to be arrested. Now, I'll leave it up to you all." Even though I was there as part of them, but I was addressing them after talking to the policeman. And I said, "Now, if you stay, I'll join you. But if you want to leave, then now is the time to let these trucks through." And by this time, one of the priests that was one of our supporters intervened and pleaded with us yet again to let the trucks through—Father Gilgun, Bernie Gilgun, who was an activist priest in Worcester. We then relented and let the trucks come through. But I'm saying that Stoddard was, at least, not just for reasons of our civil rights protest, but because of the union issue, there were also some people that were supportive of what we were doing.

DC: Sure.

DB: But, you know, the opposition in the Northeast was much more refined. The Worcester Area Council of Churches invited Stoddard to speak at a luncheon at their meeting. And we contacted them and said, "Well, let us come and give our side." This was in the wake of our picketing the plant. And they refused. And so, we picketed the Worcester Area Council of

Churches luncheon. It was really the opposition, the *quiet* opposition, that you had to deal with. We didn't have people threatening us on the sidewalks.

One of the black ministers who was the head of the NAACP in Worcester, Reverend Stringfield, criticized us picketing and said that, "We were going off half-cocked," when we picketed first a downtown department store. What we did, a number of us increased the membership of the NAA with young people, students from the campus and some people from the black community. Then, I called Reverend Stringfield to the side and I said, "Look, we're going to picket the plant, and I want you to join us on the picket line." [01:15:00] And I said, in essence, "If you don't, we're going to move to vote you out at the NAACP." And so, he resigned as the head of the organization. But we were moving to preempt an attack from the NAACP, which we had seen happen in our first picket.

DC: Right.

DB: Again, it was a matter of using strategy from within and from without, going within the NAACP to boost membership and therefore give ourselves a position of strength. Now, when I was in—so, in Worcester, now, when I brought Malcolm X to speak, I had called Malcolm at his home in New York and asked if he would come and speak on the campus, which he agreed to do. And then, a couple of the members of the board of our organization, white ministers, said they would quit the organization unless we got someone to give the other point of view.

When I told that back to Malcolm by phone, and I had gotten him on the phone at his home. It was amazing that I was able to do it, but I did. And I told him that they've said that I had to have someone to present the other point of view. And he said, "Well, I'll debate Dr. King." I said, "Well, alright." I said, "Let me say what I can do." I called Atlanta and asked them if Dr. King would debate Malcolm. And they said, "No. He's not available," but that Bayard

Rustin would. When I talked back to Malcolm, he sort of chuckled on the phone and he said he knew that King wouldn't debate him, but he wasn't going to debate Bayard Rustin. And so, at that, I decided that if those ministers were going to quit, they were just going to have to quit, because we were just going to go ahead and bring Malcolm to speak in Worcester, which we did.

DC: Um-hmm. Did he say why he didn't want to debate Rustin?

DB: He thought Rustin was just a lackey for, a front for King. He wanted to bite into King. [Laughs] I mean, that was the debate *he* wanted. He wasn't going to debate some second—I mean, Rustin wasn't truly—I mean, you know, he's credited with being the leading star behind the scenes in the March on Washington.

DC: Sure, sure. That would have been a heck of a debate, too, I think. [Laughs]

DB: It would, but Malcolm was going to have no part of that.

DC: Sure, sure.

DB: So, he came, and I spent the day with him, and he was just an extraordinary person. I went with him to the radio station for an interview, Stoddard's station—WTAG. But Julie Chase Fuller, who was one of the disc jockeys there, conducted the interview, and she was very supportive of what we were doing in Worcester. And she and I and Malcolm did the interview together. I did mostly listening, and it was mostly between her and Malcolm. There was a couple of times during the interview when I was kind of asked whether I agreed with Malcolm, and I was careful not to get drawn into a me-versus-Malcolm X debate, and because I tended to agree with a lot of what Malcolm was saying.

Now, of course, Malcolm, as you know, was not in favor of nonviolence, and he made that very clear. But I was never an advocate of nonviolence as a belief, as I said earlier. We were forced into nonviolence by the reality of the circumstances. When I went from New Orleans to

Bogalusa with these two priests in the summer of—let's see, I was working that summer in New Orleans, and we went over, and that would have been in the summer of '65. We were going to participate in a protest in Bogalusa. And we got met on the other end of the Lake Pontchartrain Bridge by an armed carload of people with the Deacons for Defense and Justice. And they followed us into town, put us up at a house where they kept watch, and then at the rally and the march that we went to, they had people carrying shotguns alongside the march. And that didn't bother me in the least bit! I was rather reassured. Because the Deacons' philosophy was that we're going to fight back.

DC: Um-hmm.

DB: In fact, and I don't know how historically accurate this is, but there was some scuttlebutt that some whites had run through the black community, attempting to intimidate them with some gunfire, and that the Deacons had fired back and wounded someone, but that it had been downplayed because they did not want that publicly known. Now, the kind of violence that I would have been against, however, would have been random violence—I mean, self-defense was one thing.

DC: Right.

DB: But proactive violence, for example, what the Weathermen [01:20:00] and others were doing—

DC: Um-hmm, fire bombings.

DB: Yeah.

DC: Right.

DB: That kind of thing. I would not have necessarily outwardly condemned it to those who believed so firmly in their cause that they chose to resort to that. But I would not have been

a part of it. But I can accept that some people would feel so strongly the need for change, and that other means had failed, that they would have to make some—take some acts of violence. For me, and particularly as—and I think for black people in general, I did not think that was a particularly effective and defensible strategy.

DC: Um-hmm. But you—

JB: In Bogalusa, were you involved with the Hicks family? We interviewed the Hicks family in Bogalusa and the man who was—

DB: Hicks, yes! I thought you said Hooks. I'm sorry. Okay, Hicks, yes. In fact, I think I met some of them then when I was over there. Well, also, that same summer that I went over there for that march, I had actually—what I was doing was, I was in my second year of law school, I believe, between my first and second year. And I was working, actually, out of the office of Ernest Morial, who was practicing law at the time, along with A.P. Tureaud.

DC: Ernest who? I'm sorry.

DB: Ernest Morial.

DC: Morial?

DB: Yeah, and he was, again, one of the black lawyers doing civil rights work, and he'd given me office space in his office in New Orleans. He later became mayor of New Orleans, and his son is actually now the national head of the Urban League, [phone rings] Marc Morial. But the reason I was in New Orleans [phone rings] that summer, the summer of '65—

DC: Would you mind just waiting until the phone answers?

[Recording stops and then resumes]

DC: Okay, great. I'm sorry about that. [Laughs]

DB: When I was in New Orleans in the summer of '65, I was in between my first and second year of law school. And the NAA Legal Defense Fund office in New York had hired a half dozen or so law students, mostly blacks, and they sent one of us each to a southern state. That was the year that Title VII had become effective. It had been passed in '64, but you could begin to file complaints in '65. And so, the Legal Defense Fund sent us out to get employees to file Title VII complaints.

DC: Interesting.

DB: I had gone over to Bogalusa, even prior to that first march, and I had gotten workers at the Crown Zellerbach plant in Bogalusa to file Title VII complaints. In fact, those were some of the first complaints and most effective complaints under Title VII. But that was the work that I was doing with the Legal Defense Fund that summer.

DC: Okay, very interesting. So, and then you went back. You finished law school at Yale.

DB: Yeah. At that time, I had done a year's law study at Boston University. And while there, I had gotten involved with a group called Law Students Civil Rights Research Council (LSCRRC) and it had been formed by some northeastern law students. And it was funded by private foundations: New York Fund, Taconic, Rockefeller Brothers, New York Foundation, and some others. And the idea with LSCRRC, Law Students Civil Rights Research Council, was that the lawyers in the South who were doing civil rights work were so overwhelmed that they needed help, and the best way to help them was to take some of the top law students from universities around the country and send them to the South.

DC: That's great.

DB: We had funding to hire these law students in the summer and send them to all over the South. We would hire about anywhere from 100 to 200 law students, pay them \$30 a week,

which was just enough for them to pay for their food and laundry, and we'd put them out in the black community, and they would stay with people in the community. The lawyers would typically help find a place for them to stay while they were assigned to the lawyers' offices, and they'd work there.

Well, it was a twofold strategy with LSCRRRC. The first part of it was to provide this much-needed help to these lawyers. We didn't confine ourselves to the South, but I'd say 90 percent of our students were in the South. [01:25:00] But we also put lawyers in civil liberties offices outside of the South to work with ACLU people. In fact, the headquarters for the organization was in the national office of the ACLU.

DC: Oh, it was? Okay.

DB: My first year of law study at Boston University, I organized a chapter of this organization at Boston University. That summer was when I did the work with the Legal Defense Fund.

DC: As part of—was that an assignment from this organization, or was that separate?

DB: No, actually, it was separate.

DC: Separate, okay.

DB: And then, I got accepted into Yale as a transfer student.

DC: Okay.

DB: Instead of returning to BU, I went to New Haven. I actually had applied while I was at Clark to Yale and Columbia and Harvard, and several other top schools, and had been rejected by all of them. I had been accepted at Boston University. I was on my way back to Clark one day with one of my schoolmates by car, and we stopped. I asked him to stop at Yale, and we stopped over on the campus. And I went to the dean of admissions' office, and it turned out to be a one-

armed white man—of course, all of the top people there were white—from Bolivar, Tennessee, about 80 miles up the road from Memphis—Dean Tate, Jack B. Tate. And we got to talking, and he took a liking to me, and we talked a little bit about my civil rights background. And he said, “Well, let me see if there’s someone around still that I can introduce you to.” Well, none of the key people were on the campus at the time. So, he said, “Well, you go on back and let me see what I can do.”

So, the end result was he got me on the waiting list, but they never had the openings. He said, “You go on and do your first year and then get in touch with me.” It was that summer while I was working out of Morial’s office that Dean Tate sent me a letter and said I could come to Yale as a transfer.

DC: So, if you hadn’t just stopped over on the campus, that never would have happened?

DB: It never would have happened. I’d already been rejected. [Laughs]

DC: Yeah. [Laughs] That’s great. That’s a great story. Okay, so, I guess, just continuing with the chronology that you—after you graduate from law school at Yale.

DB: Following law school, I was—the second summer, after I had done that summer in New Orleans, I worked out of New York, traveling around the South, to coordinate these law students. I had developed a pretty good friendship with many of the leaders on different campuses. And we had campuses from California to New York. And there were about 35 law schools that were members, that had chapters of LSCRRC. And so, I was elected to national director. The national director would serve for—each year, they’d pick a new national director, and that would be someone who had just finished law school. I went from law school to the headquarters, which was, as I say, in the national office of the ACLU.

DC: Um-hmm, in New York City?

DB: In New York. And so, that's what I did my first year out of law school. And interestingly, Bill Robinson, who was the director before me, had gotten a deferment, because by this time, the draft was very alive and active.

DC: Um-hmm, of course.

DB: And I was a prime candidate, in terms of my age and being single, to be drafted. That had nothing to do, quite honestly, with the work that I was doing with LSCRRC. But Robinson had gotten a draft deferment working with the organization, and so I applied for a deferment as well when I went to work with LSCRRC. And I had letters from Jack Pemberton, who had been the director of the ACLU, and I think Bob Carter even might have sent a letter for me. I had had some key national civil rights people to write letters, saying that this work that I was doing was in the national interest.

So, I came down to Memphis and I met with the draft board. Well, we had one black on the draft board. My brother had talked with him, and he was very supportive. And I think there were about four whites on the board. And I came down and talked with them. Well, one of the white ladies, when I got into the meeting with them, she was intrigued to know what I was—what kind of work I was doing, and we got to talking about civil rights. Well, it turns out she had daughter who had been somewhat involved in some civil rights activities in the North. But the long and short of that story was that they, after a very cordial meeting, they gave me a deferment—and this was in 1967 from a draft board here in Memphis—that said that my work as a director in New York was in the national interest and, therefore, they granted me a deferment.

DC: Right. [01:30:00]

DB: Of course, that year's deferment actually got me past the age limit where I would have been drafted.

DC: Oh, so then you were—yeah, yeah.

DB: Because I was kind of torn, really, personally, because if I had gotten drafted, I didn't quite know what I would have done. I was pretty strong in my belief that the war was wrong, and I don't think that I was prepared to put my life on the line and go to Vietnam on a war that I felt was wrong. But I never had to come to really make those tough choices, because I got that deferment. But I think that I would have rather gone to jail than to have gone to the Vietnam War. Of course, this was '67, the height of it. I had been going to teach-ins in Boston. Staughton Lynd and Howard Zinn and others were speaking at these and making some very persuasive presentations about the wrong of the war, and I was convinced that it was wrong. Norman Thomas was one of the people that I brought to speak at the Clark campus while I was still in Worcester.

So, anyway, I did the work there with the LSCRRC, the Law Students Civil Rights Research Council, for that year. In fact, I raised special grant money and sent ten law students down here to work with the lawyers during the sanitation strike when they were on strike. And the first suspect, Alex Herder, I think was his name, is now a law professor at Vanderbilt, Alex Heard or Herder, but he was the first person taken into custody in Memphis as a suspect in the assassination because he was a white person down around the Lorraine Motel at the time of the assassination. Of course, he was released relatively soon afterwards.

But the night of the assassination, I was in my office, and the office had basically closed down. This was about 6:00 New York time, which was closer to 7:00 here. And my secretary came out and told me that the radio had announced, that she heard on the radio that Dr. King had been shot. And then, minutes later, she came back out and said that he was dead. Well, I was working late that night because I was getting my—I had a flight to Memphis scheduled for the

next day, because there was going to be a march that Dr. King was to lead within three or four days, I think April the eighth. Of course, New York was tense and on edge that night, and I did take a plane the next day and come to Memphis. And then, I went on from Memphis to Atlanta, where they had his funeral services. But I couldn't get into Ebenezer, because it was packed, so I stood outside and then went over to the Morehouse campus, where they had a caravan from the church. And I think they brought his body over there and they had speakers and things at the Morehouse campus, as well.

DC: Yeah.

DB: But following my work with the Law Students Council in New York, which ended in '68, then I had to decide. I had offers to stay in New York and work either at NYU Law School or with some foundations and had an offer to go out to work with the Cummins Engine Foundation. Phil Sorensen was running that, Ted Sorensen's brother, and had made me—had offered me a position with the foundation out there.

But I had been out to California, because we had chapters at Hastings School of Law and at Boalt Hall and at UCLA. And when I was in the Bay Area there, visiting the chapters during that year that I was running the organization, I had a great time and it was such a beautiful area. And one of the former presidents or directors of my group was then working with legal services in San Francisco, Steve Antler. He persuaded the director out there to offer me a job on the staff of legal services in San Francisco.

DC: What was the last name, Steve—?

DB: Antler, A-N-T-L-E-R.

DC: Okay.

DB: And so—

DC: That's how you got out there.

DB: I chose to move out to San Francisco in the winter of '68. I actually took two months and went to Europe by myself with a book [01:35:00] called *Europe On 5 Dollars a Day*.

[Laughs]

DC: [Laughs] I remember it, yeah.

DB: It worked sometimes, but fortunately I, on two or three occasions, was nice enough to, or was lucky enough to meet somebody who would take me in, and that kind of helped me part of the way while I was staying around over in Europe. But then I came back out to California, and that was about October or November of '68. Started practicing law in San Francisco and continued to do that with legal services. I was in the central office, doing test case litigation, primarily on areas of consumer fraud.

And I became outspoken among the—we had the central office and then, there were neighborhood offices, two of which were run by black lawyers. And, you know, you have to always leave your own motives up for examination, whether by others or by yourself. And when I had taken that job, I thought that I had kind of reached an understanding with the director that I'd be able to do some other things. But I think that part of it is I'm not well-fit to work for people, I don't think, I mean, to be in a job. I mean, I started asking questions and I started challenging the authority of the leadership and talking about the fairness with which other employees were being treated in the central office and in the neighborhoods. And it led to some polarization within the offices, particularly in the central office, to the point that I went to the board meeting and said that the director ought to resign, which he did.

DC: Hmm, um-hmm.

DB: But they hired a black guy that came in, and he fired me within—[laughs]

DC: [Laughs]

DB: [Laughing] A very short time after. And I filed a lawsuit. One of the lawyers, white lawyer on the staff who was one of my supporters, filed a suit for me in federal court. And we settled it by their agreeing to rescind my termination, and then I told them, and agreed to it, I did resign from the staff of legal services.

DC: Oh, okay, right.

DB: That would have been after being there probably a couple of years. And the issues were—there were some genuine issues about employee rights. I mean, it wasn't anything blatant, but it was—the minority and the ethnic staff, I didn't think, including the lawyers, were being treated with the same degree of fairness that others were. And they agreed, I mean, the ethnic and black lawyers agreed with me. But, as often happens, people don't speak up. I mean, they support *you* and they'll tell you quietly how much they agree with you. But you get left out there on that limb, you know.

DC: They don't want to go to battle with you.

DB: [Laughs] And, of course, that's part of the—you know, if you're not willing to be on that limb by yourself, then you better stay at home, because that's going to happen time and again.

DC: So, you found yourself on that limb a few times in your life?

DB: Yes!

DC: Yeah.

DB: *But* I've been blessed that when I fall off the limb, there's always another net somewhere.

DC: [Laughs] Another limb.

DB: [Laughs] It becomes that.

DC: [Laughs] Yeah, climb back up.

DB: When I was with legal services in San Francisco, a young white fellow came to me, a volunteer, and confessed that he and his wife had a lot of money, and he didn't know what to do with it. He felt guilty about it. And after he turned down my initial suggestion that they could give me a million dollars, which I actually did tell him.

DC: [Laughs]

DB: And he looked at me seriously and said he would think about it, he and his wife. He went and talked with his wife about it. And the reason I said that was because you can't make change without money. I mean, whether it's in civil rights or any other kind of struggle, it takes money. It took money in the Movement. It took money with our law students.

DC: I was going to mention this when you talked about the foundations that supported your law student organization, because, to me, that is one of the great untold stories of the Civil Rights Movement at that time, was the Rockefeller Foundation support, Taconic. The Movement *couldn't* have survived without those.

DB: Not at all!

DC: And when those foundations did disappear or stopped giving [01:40:00] money, it really changed the landscape.

DB: It did, absolutely! And what happened was that Congress saw the impact that these foundations was having. And they, then, attacked these foundations and intimidated them and backed them off.

DC: Went after them, um-hmm.

DB: Because, I mean, Leslie Dunbar, who led the Field Foundation, you know, he was one of the—Marian Wright, he got Marian Wright started in building the Children's Defense Fund. He was close to—he got John Lewis—in fact, it came to—Vernon Jordan had headed the Voter Education Project in Atlanta for the Southern Regional Council, and when Vernon left that, it came down to whether they were going to hire me or John Lewis. When I say “they,” Leslie Dunbar was really the person who was talking to both of us about taking that position as the head of the VEP, Voter Education Project. And Leslie, [clears throat] he said, “Well, look,” he says, “John can use this position at this time much more than you.” In essence, what he—is how he kind of made the decision. It was two good men that he had to do it, and he picked John.

DC: Um-hmm.

DB: But when I was in San Francisco, he hired me as a consultant to the Field Foundation.

DC: Oh, okay.

DB: So, I would go back and meet with the board, which was chaired by Ruth Field. But if you want—I organized, while I was on the City Council in Berkeley, and two black kids got killed on the campus of Southern in a protest demonstration, and that was, I think, around 1972, '71 or '72. And the media was unclear about how they got killed or who killed them. Well, they had been killed by a sheriff's deputy on campus. A line of sheriff's deputies started firing at the students. And two of them ended up dead, and they said they never knew who did it.

I called a black lawyer that I knew in Baton Rouge, and he said, “Well, you could help if you came down.” And I called Les Dunbar in New York, and I said, “Les,” I said, “I'd like to go down to Baton Rouge.” He said, “Well, alright,” so he gave me \$5000 of money from the Field Foundation. And I then contacted John Lewis and Owusu Sadauki, who was the leader of a

Black Nationalist group, and my brother out of Memphis, and took another black Councilman with me from Berkeley, Haywood Burns, who was heading the National Conference of Black Lawyers.

And we went down to Baton Rouge and convened what we called the Black People's Committee of Inquiry into the shooting deaths of these students, and we had hearings. And actually the governor came to the hearings, Governor Edwards. But we focused attention and got the story out. But I mention that because I would not have been able to do that if I hadn't been able to pick up the phone and call Les Dunbar to get that \$5000 from him.

DC: Had money, sure.

DB: Or it may have been ten, because actually when I left California, he gave me \$5000 to help me relocate from California to Memphis.

DC: Oh, really? Yeah, so he was helping out individual activists?

DB: Yeah, he gave me a grant to write a story on black lawyers in Tennessee. [Laughs]

DC: [Laughs] So, that was—yeah, that's a way of getting it done, getting you some money. Sure, sure.

DB: Yeah. But, you see, if I went to him when I had a project—I could go to the Norman Fund, or Vernon Eagle at I think it was the New World Foundation, Leslie Dunbar at Field. But Leslie could talk to the heads of the other foundations, and then they would act as a consortium to put the money together to fund the project.

DC: What was the first one you said, the New World—?

DB: Debbie was with the Norman Fund.

DC: Norman Fund.

DB: And there was Taconic, there was the Rockefeller Brothers, there was the New York Foundation, Cummins Engine Foundation out of Indiana, Stern Family Fund out of New Orleans.

DC: So, these were all well-known to people in the Movement, where they could get, where money could be solicited from?

DB: Absolutely. Exactly. And it was the same group, same group of foundations. And without them, you know, much of this wouldn't have happened. And they had the kind of relationship with leaders, including King and others, Cesar Chavez—Dunbar helped the United Farm Workers through the support that he could generate. So, [01:45:00] yes, these—

So, my friends in San Francisco, they were—it was ironic because when my friend came to me, and he said, “You know—”

JB: I'm going to stop for a second.

[Recording stops and then resumes]

JB: Okay, we're back.

DB: My friend came to me and said, “You know, I told you earlier that I had some money, but it actually is quite a lot of money, and I'd like your ideas about what to do with it.” And I said, “Well, give me a million dollars.” Well, the reason I said that was because I knew that my commitment would be to use that money to stir up things, to make things happen, to change things. It wasn't just to go live comfortably on a boat somewhere. But I would be free of strings if it was my money.

So, he came back and he said, “Well, we're not going to do that, but what we will do is we'll bring a million dollars from the Northeast out here to California and set up a trust and put you in charge of it. And then, you can take the money,” he said, “you can all of the interest or the

dividends that it earns,” because they put it into an account at Bank of America, which was in turn invested. And they said, “You can take the dividend money and give it away however you wish, plus you can go into the corpus at least to \$100,000 without talking to us.” And they paid me a \$10,000 salary to do this.

Now, the purpose for them doing this, setting it up, was they said, “We want you to give this money to projects that are not tax-exempt. The ones that are now getting support from foundations and the like, those are not the ones we want to support. We want to give it to non-tax-exempt organizations.” I then was able to pick and choose different projects going on around the country. And I did that—of course, that was just a part-time position. But I also, as I said, was engaged as a consultant to Field Foundation at the same time and was a consultant with another group that recruited minority law students, CLEO, Council on Legal Education and Opportunity, recruiting black students, I think that was the name of it.

Anyway, so, with the funds—so, after I had gotten fired at legal services, in essence—

DC: Right.

DB: I was able to continue to float with the independent income I had coming in. Well, I was living in Berkeley because—

DC: Now, did that foundation ever have a name? Or was that a quiet—?

DB: Yes, we named it Bread Limited Trust.

DC: Brett?

DB: Bread Limited Trust.

DC: Bread.

DB: Meaning we didn't have a whole lot of money. [Laughs]

DC: [Laughs] I love it. Alright.

DB: I was at the same time on the board of Berkeley Legal Services. In fact, at one point I became chairman of the board of Berkeley Legal Services. And I became active in the Berkeley Black Caucus. By the time Ron Dellums ran—he had been on the City Council and was very visible as a Councilman out there. Because of Dellums's eloquent statements against the war, he became very supported by the white left, and so, that's how he got to be elected to Congress from there.

When Dellums got elected to the Congress, my friend Ira Simmons and I—Ira was a lawyer that had come out west and was working up in Sacramento, and I had encouraged him to come to Berkeley and helped him to get a post with Berkeley Legal Services because I was on the board there.

DC: Also a black lawyer?

DB: Yeah.

DC: Yeah.

DB: He and I were spending the evening just relaxing at his home, and we said, "Well, we ought to run for the Council," because Dellums had gotten elected, so there was a vacancy created. We said, "Well, we'll run as a team, the two of us." Now, I didn't know anything about the politics of Berkeley. This was just looking—what-do-we-do-next kind of thing, you know.

DC: Um-hmm.

DB: But that choice, that decision we made came at the same time that the white left had been planning and organizing for a good while to run candidates in the Berkeley city elections. And they had formed their group called the April Coalition.

DC: Okay.

DB: The deal that they had set up [01:50:00] was that the white left, the April Coalition would pick two candidates, two whites, and the Berkeley Black Caucus would pick two black candidates, and those candidates would run as a slate—

DC: Got it.

DB: To be endorsed by Ron Dellums. By this time, Ira and I were regular attendees at the Berkeley Black Caucus meeting. I had even given \$500 or so of my friend's money to help them get a headquarters. We were liked within the Caucus and we announced that we were going to run for the Council. Well, this kind of got the Caucus upset because they already had in mind who they were going to put onto the ticket in these two seats. They kind of pleaded with Ira and me not to run, and Dellums pleaded with us. When they saw that we were going to move forward, then the plea was, "Well, why don't one of you run?" And I said, "No, that's not going to work," because I didn't want to—if I showed that I was willing to dump Ira, because he didn't have the money. I had the money.

DC: Got it.

DB: Then, that would sort of weaken me at the beginning and might create an adversary that I didn't want.

DC: Um-hmm.

DB: So, I said, "No, it's both of us or nothing." So, in the end, we forced the Caucus to accept us as their two candidates, because they knew that I had the money and that I was going to run. I went to my friends and I said, "Look, I'm going to run for the Council. I need you to put up the money." "I need to use your money," is what I said.

DC: Right. [Laughs]

DB: And they said, "Alright." That's how I got to be—the two of us got onto the ticket with Loni Hancock and Rick Brown, who was the student. The April Coalition knew nothing about us. [Phone rings] We had had no dealings with them.

JB: Let's hold up for a minute.

DB: And I'm going to turn it off after—

[Recording stops and then resumes]

JB: We're back.

DC: So, the April Coalition, they didn't know who they were getting?

DB: They didn't know *who* we were!

DC: [Laughs] Yeah.

DB: Suddenly, you've got two young black lawyers that pop up out of nowhere, and they're on the ticket. And we're endorsed by Dellums, because that was the deal. The Caucus is mad at us, or some of the leadership is, but they can't show it. And so, then we—once the ticket is there—

DC: [Speaking to JB] I can hear this. You can hear it?

JB: Barely. Let's just go.

DC: Okay.

DB: Well, if you can hear it, we can take it off in another room. Can you unhook me just to—?

[Recording stops and then resumes]

JB: Okay, it's gone.

DC: Great. So, just pick up where we were. We had been talking about the formation of the April Coalition, you and Ira are put on the ticket.

DB: Yes, and the thing about it was that this was my first foray into elected politics as a candidate. I had never really seen myself as running for office. In fact, when I went to sign up as a candidate at City Hall, the City Clerk asked to see my voter registration, and I wasn't registered. I had to go register before I could sign up as a candidate. I had not lived in Berkeley but three months before the election. The election was April. I moved from Kensington, which was a suburb adjacent to Berkeley, into Berkeley 90 days before the election in order to qualify.

DC: Got it.

DB: I'd never, to be quite candid, I had never been to a Council meeting, or even in the Council chambers. But, as I said, Ira and I made the decision that we were going to run. We thought it would be a good forum. We'd been there long enough to see the energy and politics of the area. We thought we could introduce some new thought.

When I had my announcement, I made a statement, and I don't think that people were paying much attention because, again, we were very new. But I said that my first priority is going to be to the interest of the black community. And that was pure Southern. That was D'Army Bailey speaking in the context of my experience in politics here in the South, where if you were a black politician, then—

DC: That's what you said.

DB: That was what you were about. You were about speaking for and advancing the interests of blacks. I did not see that as being necessarily much different from what my agenda should/would be in Northern California. Because I knew that the interests of whites—I could look at the platform and work was being done. Well, I also knew that we were looked upon with suspicion by the black, [01:55:00] indigenous black community there, because they were not that supportive of the white left. They always had questions about their motives. And even though the

Panthers were close with the white left, and there was support for the Panthers, but there was some suspicion or discomfort there, too.

So, here we are, newcomers, and we had to establish our own sense of legitimacy, first with a base, and that would be the black community. In fact, the April Coalition wanted us to run a joint campaign office, and I said, "No." I said, "We'll open our own office in the black community. And we're not going to start carrying your two candidates with us into the community to campaign until we've gotten out there and introduced ourselves, and then we'll bring you in."

Early on in the campaign, we ruffled some feathers in terms of the position. We had already ruffled the feathers of the Caucus. We had put Dellums in a fix, in terms of having to endorse us, and one of the people that he wanted to run was his good friend Ken Simmons, who was going to be one of the two that was already supposed to fill those seats.

By the time we won the election, and we had started working with the—bringing the white candidates into the black community, but by this time we were pretty strong forces in our own right as politicians, having run a very strong campaign. I brought in Myrlie Evers, who walked the streets of Berkeley with us to help us campaign. I had Julian Bond cut a radio spot for me. And we had a damned good campaign manager that we hired. We had two initially that were not that good, and we ended up with one who knew what he was doing, Beau Sitner, who had campaigned with Birch Bayh out in Indiana. He was a law student at that time at Boalt. And so, come election day, we were on a roll.

Now, we had some friction. There were points at which the Coalition was about to fall apart, because of our determination to set our own agenda. But we held together, and then came election, and we won two of the three seats. Loni won the other one, and their fourth candidate

lost. We came in two strong, to one strong on the white left, at least the far white left. Now, again, because Berkeley's left was not all homogeneous. You had—I mean, one of my strongest supporters then and throughout was Dan Siegel, who had been the president of the student body at UC-Berkeley, who sort of was speaking on the campus when he said, "Let's go down there and retake the park," and that's what led to a deadly confrontation down on Telegraph Avenue about the demonstrations against People's Park. And so, I had the support.

And then, I had some run-ins with the Panthers, with Huey Newton. Huey wanted me to join the Panthers. Again, I'm not a joiner. I tried to make that as diplomatically clear to Huey as I could, that I would support his programs. Huey said, you know, "You come put your office in ours. We'll feature you in our Black Panther newspaper." And I begged off from that. Well, I would go to Huey's penthouse at 1200 Lakeshore Drive, Ira and I, we'd meet with him and talk with him from time to time, and have some Chivas Regal and have an enjoyable visit. But he then asked me for money. He asked me for \$25,000, and I told him that I didn't have it. And from that point, he began to become threatening, and I had to stop visiting with Huey. But I continued to support on the Council the programs that the Panthers were pushing. The Free Breakfast Program we funded, some of their Daycare Programs, and other things.

The conservatives, who had initially said they were going to recall all three of us, said then, "Well, let's not recall Loni Hancock. She's not a big problem. That Bailey is the problem." But they wanted to get both me and Ira Simmons, my colleague. But then, Wilmont Sweeney, who was a conservative black Council member, the first black Councilman in Berkeley, said, "Well, you can't do that. If you're going to drop off the white woman on here, then you can't just run against—run a recall against the two blacks." At that point, they said, "Well, let's drop Ira Simmons," I was then the one they chose to focus in on, because they had figured, and I think

correctly so, that if they could get me, and they succeeded in that, that they would be able to stop the force of what we were doing, which was using the Council chamber as a megaphone to demand change and get change.

Filibuster in the meetings? Yes I did! I would talk in the Council meetings and sometimes to the point that the mayor, who was black, would say, "Well, Mr. Bailey, you're out of order!" And I would keep talking, and he would ask the clerk to turn my microphone off. [02:00:00] And I would stand and continue to talk. And, of course, we had a crowd. Typically, the meetings were crowded with people. And we had issues that we were fighting.

And I had a staff, because I had taken not only—when I found my campaign account showing that I had spent \$25,000-\$30,000 in the campaign, and I listed 25 as being anonymous, which you could do in California at the time. And that raised a lot of eyebrows. Where's the money coming from? So, not only was I then being accused of being a carpetbagger, because that was one of the things that the conservatives used against me, but then the question was: Well, where is he getting his funding from?

Well, the agreement that I had made with my friends was that I was not going to put their name out in public. I mean, they were two quiet people, young people, and they did not want the notoriety. In fact, Mike Wallace interviewed me on *60 Minutes* and asked me, "Well, where is your money coming from?" And I was a bit surprised, because he had been very charming. We had met on the campus of UC-Berkeley, and then we'd driven over to my—I had a little cottage right near the Berkeley Hills, and we sat out on the patio. And, as soon as the cameras started rolling, he became quite a different person—

DC: [Laughs]

DB: And went after me.

DC: Yeah.

DB: And he wanted to know where was the money coming from, and I was a little surprised by that. And I said, "Well, I'm not going to tell you." He said, "Well, here you are. You're living up here in a nice place and you're driving a nice car, and people have a right to know." I said, "Well, the less you know about me, the stronger I am. I'm not going to let people know everything about me," and I felt that way, that if you know the source of my support, then you know where you can make your attack. And so, I didn't tell him.

Well, this aired, actually, on *60 Minutes*, this little segment. But before he aired it, he called me from New York, and he said, "D'Army, I'm putting this show together and I'm going to give you one last opportunity to tell me where your money is coming from." And I said, "Well, I told you I'm not going to tell you." He said, "Well, if you don't tell us, we're going to find out anyway." And I said, "What do you mean?" He said, "Well, there's a group that's put up some funds to find out where your money is coming from."

So, I called Les Dunbar after that, back in New York, and I said, "Les, Mike Wallace tells me that somebody's put up money to find out where my money is coming from." And he said, "Well, let me look into it." And he called me back and he said, sure enough, that there was a group called the Fund for Investigative Journalism, and that they had gotten a grant from the Stern family out of New Orleans to find out where my money is coming from. Now, this continued to be a sore point in Berkeley, and it kind of dogged at my heels, because I wouldn't tell who the source was.

At one point, there was a counterintelligence black spy for the government, for California, who actually revealed himself as such. He would go into radical organizations and stir up dissent and distrust. And he had infiltrated my campaign. He wrote about it in a book, *The*

*Glass House Tapes*. But at one point, he went on the radio in Los Angeles and said he had given me \$10,000 to help him infiltrate the Angela Davis campaign. And I had to then go to KPFA, the sister station in Berkeley, and he was on the microphone in Los Angeles, where he was making this outlandish charge, and I told them, told the station there that, “You’d better investigate this before you run it.” Well, clearly, what he was trying to do was smoke me out. He knew that I couldn’t reveal my financial sources, and he was trying to discredit me. The guy, I thought, was just a bum drunk who was hanging around the campaign headquarters.

DC: Right.

DB: But, in truth, he actually was a spy. And fortunately for me, a reporter for *Muhammad Speaks*, the Black Muslim newspaper, came out from Chicago and investigated the story, and they did a good story. KPFA didn’t air the charges. But I was in a rather tough pickle there for a few minutes, based upon this kind of activity.

DC: Wow.

DB: But, again, that’s the kind of thing that you had to live with and go with. At one time, my life was threatened. I had to have around-the-clock security. Somebody said they knew about a contract on my life, and it turned out it was an extortion plot where someone wanted me to pay them some money. I had to—he was eventually arrested by the Berkeley police. But so, it was—there were few dull moments in the period.

DC: [Laughs] Yeah.

DB: But, again, we got change. That was the important thing. We made things happen.

DC: Um-hmm. We’ll take a quick break for a second.

[Recording stops and then resumes]

DC: Do you have your—?

DB: Better to be safe than sorry.

DC: Yeah.

JB: Okay, we're back.

DC: [Laughs] It's the first thing I said to my fiancé, is you've got to tell me if there's anything in my teeth.

DB: Yes, absolutely.

DC: [Laughs] Alright, so that—yeah, so that was a pretty adventurous [02:05:00] time.

DB: So, they got the signatures on the petition. The way recall works is that if you get 25 percent of the people who voted in the last election to sign a petition, then you force a new election.

DC: Okay.

DB: They had 18,000 people already that had voted with them in the election when we were defeated. All they needed to do was organize a campaign with the money from the business community and the conservatives and put on the ballot the question: Shall D'Army Bailey be recalled? Yes or no.

Well, in order to survive, once they get those signatures, then you have to get a majority. So, it's no longer the situation where I had won with a plurality, but I had never had a majority, because the conservatives were still in the majority in Berkeley at that time, and they knew that. I knew that by the time they got those signatures that it was, that my chances of defeating the recall were going to be rather slim.

DC: Right.

DB: But, and I knew that, for two and a half years, that I was under the specter of that happening.

DC: And it sounds like they were, because of the way they could do that, they were going to recall somebody from your—from that ticket.

DB: Yes. And a friend of mine, Roger Baldwin, who was a founder of the ACLU—well, I knew him because in New York, his nephew and I were good friends, and he had introduced me to Roger, and we had lunch a couple of times. He came out to the Bay Area to visit during the recall. And I picked him up, and he said, “Just pull over to the side of the road.” He said, “Look,” he said, “I’ve been out here and people are—the information that I get is that you’re not going to beat this recall unless you tell where your money is coming from, because people just don’t like not knowing that kind of thing.” That was another factor that I’m sure was on the table.

But what had happened was that my friends had closed down the trust as more and more questions began to be asked about the money, especially after I had won and reported that anonymous contribution. So, they had given me \$100,000, which they paid the taxes on, and I used that money to pay staff. So, I had a staff of, well, actually, as many as 13 people. Several of them were students, so I could get them on work-study, so I didn’t have to pay them full salary. Then, I had one full-time person assigned to me by the Joint Center for Political Studies back in Washington. I put together this quite competent staff.

So, whenever I went to the Council meetings, I had these thick books of information, because my staff would go out, they would research all of the agenda items, they would talk with people in the community, and there’s nothing that brings about change more than information properly used. And that’s what I went in there armed with, on the Council, and that helped me to make a difference as a Council member.

But by the time of the recall, I had used up a great deal of that hundred grand, and I had probably a third of that money left, probably not that much. But I had to spend most of what I had left fighting the recall. So, by the time the recall was over—of course, they didn't know it in California, but my money was pretty well out anyway. And I knew that it was going to run out, because I wasn't practicing law. I did, as I say, have some stipends coming in, but I don't think I was at that point still doing the consulting work, because it was limited work with the Field Foundation. So, financially, the jig was going to be up anyway.

DC: [Laughs] Right.

DB: I couldn't have carried on with the same momentum and resources for a full four-year term. In some ways, it was really fortuitous that they recalled me after two and a half years, because I'd have a tough struggle to carry on the kind of momentum.

DC: Um-hmm.

DB: When they completed the recall, I had to decide do I want to stay out here in the Bay Area and practice law, or do I want to go somewhere else? And that's when I made the decision to return to Memphis.

DC: Right. But even in that limited time, the two and a half years, you said you were able to achieve some change. Did the change last? Did you stay in touch and see if some of that change persisted in Berkeley?

DB: Much of it did. Some of it—for example, we set the pattern of an integrated City Hall with top-level staff people. That continued. The same thing as opportunities in the police and fire departments. That continued. I took [02:10:00] the lead in helping give the garbage workers increased benefits. What happened was that there was a strike. And we had, in executive

session, told our negotiator to offer the union more money for the lower-paid workers, who were the garbage workers, but that didn't get conveyed to the garbage workers in the negotiations.

They went on strike, and so, there was an impasse. And Kurt McLean, who was a black union leader in the Bay Area, came to me and said, "D'Army, you need to take some leadership and call for a resumption of talks." And so I did. I said, "I'm going to show up at the negotiating table, and I'm asking the union and the garbage workers to do the same," which they did, and we recommenced the negotiations. And two of the other Council members joined me.

Well, when we started again, we were getting nowhere fast, and I called the garbage workers' leaders aside, and I said, "Look, let's go talk." And I took them into a side room and I said to them, "Look," I said, "Do you realize that we're offering you guys an accelerated increase versus these other guys," because the only people that were on strike were the garbage workers, but the negotiations were for all of the municipal unions: police, fire, and engineers, and everybody else. And they were riding on the backs of the garbage workers who were on strike! And I told those workers, "Look, if we go ahead and settle this thing, you'll get more money," because we were trying to raise them to a level on a par with these other city employees, which we did.

And so, that came, because of that—well, because when we got to the garbage workers, when I pulled their coattail and let them know what was happening, and they decided that they weren't going to carry these other unions. Paul Varicelli was the head of the union, negotiating for all of them, but he was—he had divided loyalties there. Tough union man. So, anyway, those kinds of things were changes that we brought about.

Now, what has changed since then is the gentrification, that in those areas now where blacks lived in the what we called "the Flatlands," nearest to the river, or to the Bay, are now

areas that are largely gentrified, where you have, instead of black families living in those areas now, you have a much greater proportion of upper-income whites, because the land is so expensive. And those blacks have sold out, many of them, sold their property and moved elsewhere. The black population of Berkeley has declined substantially from the 25 percent when I was there.

DC: Okay, yeah. Interesting.

JB: Yeah, I looked into living in Berkeley. There was no chance.

DB: Yeah, I mean, you couldn't—it'd be impossible to afford it.

JB: Yeah.

DC: Yeah. So, we're going to jump to Memphis. I wanted to ask—

JB: Let's stop.

[Recording stops and then resumes]

DC: I wanted to ask about, especially since the anniversaries are happening or coming up, about the Civil Rights Act and the Voting Rights Act, and where were you at the time of those pieces of national legislation, and what your reaction was.

DB: Give me the year because there was so much happening.

DC: '63 and '64.

DB: Okay. '64 I was still at Clark, because I remember, let's see, President Kennedy was assassinated in November of '63. And it was in the wake of the assassination of President Kennedy that Lyndon Johnson took the leadership and gave great momentum to the thrust to pass that legislation. And I remember him in '65 pushing for the Voting Rights Act, and that was in the wake of Selma and the killing of Viola Liuzzo and Reverend James Reeb. And I remember

watching him on television when he was announcing his support for that and said, "We shall overcome."

And when I was sitting there watching this white southern President in his southern accent say, "We shall overcome," but not just say it, but *mean* it, in terms of putting the weight of the presidency behind getting this legislation passed in '65, I knew that things had changed in America, I mean, with Johnson. Kennedy had been, in many ways, viewed as the hero, but the real difference came with the shoulder-to-the-wheel work that Lyndon Johnson did after the assassination to get that legislation through the Congress.

And with the passage of the Voting Rights Act, [02:15:00] I did not feel that the act itself was going to make a momentous change. Because, having seen in Memphis that blacks had the vote but still no money and no power, that when all was said and done, give them the vote, but what does that mean in terms of fundamental change? And I never really thought, and still don't think, for that matter, that voting power, political power, is the be-all and end-all of the quest for liberation. It is a tool.

When I ran for the Berkeley City Council, it was not based upon my belief that the system works. Now, the media treated it that way. They said, "Oh, the radicals have now gone within the system, and they now believe in the system, and they're going to make the system work." After our election in Berkeley, some young people ran in Madison, Wisconsin, and were elected on a progressive platform, and others of our generation began to mimic this whole notion that we in the Bay Area had developed. And a lot of that was through the strategy and the philosophies refined by the April Coalition, the hard work that they had done in setting the pace. We just helped to bring it about in a victorious way.

But I didn't—to me, it was opportunism, as opposed to belief in the ongoing amenability of established political systems to make a difference. So, I never looked—the beating of heads in the street and the going to jail, those were the things that I knew made a difference, that would cause change in this country. The riots in Watts and in Detroit and in Newark, when people take to the streets and really confront those in authority and bring things to a halt.

And that was my strategy in Berkeley. Now, of course, you have to recognize that those strategies are not lasting. In other words, you've got to be prepared to move from one arena to the other. Because if you think that you can take one strategy and stand fast on that strategy and carry forth to progress, then you're in for a rude awakening, because you're going to be run over.

DC: Uh-huh, right. [Laughs]

DB: You've got to know, as the song says, “know when to hold them and know when to fold them.” Because they'll eventually figure out how to neutralize what you're doing. But in the meantime, you can make dramatic difference. But the system is not going to change, because the political system is basically designed to be used and controlled by the monied power of the country, because it's money that you have to have to run for office and to stay in office. And then, the communities that you're trying to reach, you have to reach through mechanisms that are controlled by money: communications, and right on down to the workforce. And they've decimated unions, and so you don't have a labor voice that can kind of offset.

And now, for example, in states like Tennessee, where politics means very little because we've got super-majorities in the legislature and a Republican president [governor]. And they are now—they are balkanizing the country with strongholds of rightwing power. And I'm not sure but that, in time, the growth of that power will not again become majority power in America.

DC: Um-hmm. I mean, this is why—yeah, this is what we're up against, but it's also, I mean, as you say, why a movement needs to be multifaceted.

DB: Yes.

DC: You need to have these fronts. You need to have the judicial front and the NAACP at the same time that you have SNCC and protest in the streets.

DB: Sure, sure. And I spent 19 years as a trial judge here in Memphis and 14 additional years as a lawyer, during which I represented people who were charged with murder and were facing the death penalty. I've tried over a dozen capital cases, where my client was facing the chair. And in those cases, I had to work within the system to try to get justice for my client. I was almost to say I had to thwart the system, because lawyers within the judicial system are not looking for justice. [02:20:00] We look for victory for our side. And that's true if you're a plaintiff's lawyer or you're a defense lawyer or if you're representing the prosecution or the defense.

When I was representing people facing the chair, justice may have been that—I'm not a believer in capital punishment, but it may have been many long years in the penitentiary. But if I got someone off with few or no years, then to me that was a gratifying victory, because that was my job, not to have a just result. As a judge, however, for 19 years, my role was quite different. It was to assure that the system at least was a level playing field for all sides within that arena. But I never felt, even then, that the legal system is a system set up for fundamental justice. It's a system by which you can order disputes and set the rules by which to resolve disputes where people don't have to resort to violence.

DC: Hmm. And maybe tweak it here and there to make it a little more just, right?

DB: Yes, but then, you know, when you think about it, and we look at the legal system—I remember Bill Kunstler and Arthur Kinoy, who came to Memphis when we were opening the Civil Rights Museum in 1991. And those were two of the premier lawyers in the civil liberties and civil rights struggle. And at that time, they were arguing in their presentations to the groups there that lawyers and activists should take their pleas now to state court and state systems, because the federal system and the federal courts were not responding. It was a matter of where do you fight? Do you fight on the state level, or do you fight on the federal level? It's not that you have any great affinity for either, as it relates to change.

Well, now, the kind of advocacy that may have been developed to go into the state systems and fight there, or even in the 1960s to go into the federal systems and fight—well, now, we can't go into the federal system and fight, because you've got a Supreme Court with a majority that has no sympathy—

DC: Right.

DB: —for the change that people need and are fighting for.

DC: Um-hmm.

DB: And while you do have some federal appeals courts that are more sympathetic, many of them are not. And on the trial court level in the federal system, you may or may not get a good conscientious judge.

DC: Right.

DB: So, while in the past we could say that the judiciary is a means of change, but if you look at what's happening with them, with the changes they're making on the *Citizens United*, where they're letting corporations have complete ownership of the communications and electoral machinery that makes a difference in this country, with unlimited money, then the judiciary is

opening the way for that. The *Bush versus Gore* decision, which was a coup d'état, judicial coup d'état, against the will of the majority of the people—and then, I saw Mr. Justice Scalia say on television within the last year or so, “Well, people need to just, quote, ‘get over it.’” And so, that’s kind of the judicial attitude.

DC: Yeah, gutting the Voting Rights Act.

DB: Yes. So, you just have to look at: Well, where do we turn to now? And, in some ways, we’re just as desperate—I mean, there are some of us who are better off. We’ve got a few more material things. Educationally, there’s a *decline* in the number of African Americans, for example, proportionately, that are getting into the major colleges and universities. When I was coming up, we had at least the idealism that one generation would be a step better in its hard work and achievements than our parents.

DC: Um-hmm, of course.

DB: But that’s no longer the case. I attempt to sometimes use the analogy of Hegel’s Dialectic, in which there’s the notion that there’s a cycle. And that things calm down, and then, in the calm, oppression raises its head again, and injustice gets worse, and people then rebel. And out of that rebellion, you get progress and change. [02:25:00]

DC: Right, right.

DB: And there’s a continuing cycle of the thesis, things as they are; the antithesis, when people revolt; and the synthesis, some progress comes. Then, things get bad again. As it relates to the Voting Rights Act in ’65, as it relates to the Civil Rights Act, the public accommodations act, those things were important changes and they were important landmarks, but they never struck me as being major game changers. Even when Title VII, fair employment, Equal Employment Opportunities Commission, was passed in ’64 and became effective in ’65, I was

never so naive to think that we were truly going to see the elimination of racism in employment opportunities in this country, and we don't see it, even today. The barriers are different. I mean, they're not outright racial in the same way, but the result is the same.

JB: Could I ask you to talk just a little bit on a side subject of this, which is the one great gain blacks have made is in prison populations?

DB: Absolutely.

DC: I was thinking the same thing, yeah.

JB: As a judicial person, can you speak to—?

DC: It removes people from the ability to vote, as well, right?

JB: Yeah. I don't even know what the question is, but you know more about the different systems at work than I do. Could you give any hope for reversing the situation?

DB: I think that the explosion of blacks in the penal institutions is part of the sense of— this country has destroyed systematically the sense of value and self-worth among minorities. And we kid ourselves, and I think it's unfair for white America to think that in the last 50 years, say, since the *Brown* case, or 60 years, that suddenly we can erase all of the ills and evil that arose from three centuries of denial and exploitation and defeat. And as black families were destroyed, in terms of broken-up or not allowed to flourish, where black manhood was not allowed to be self-respecting, the impact of that has been devastating on the psyche of black America.

I was reading an article about the psychological impact of everyday racism that works on black people, because even among whites who don't mean to be offensive, they create a tension in their own interaction with blacks, whether it's on an elevator or in a department store or passing down a darkened street, on up to who you prefer when you make a job hire, or who you

prefer among your associates. But that creates an ongoing tension among black people that adds even, in one study at Columbia University, to our health problems. It creates issues of blood pressure and illness.

My point is that the pathology of blacks in prison is not just because you've got a lot of young black men who are irresponsible—and there are, there are a lot of them that are irresponsible—that leads to their, I mean, as the *immediate* cause of their incarceration, an attempted robbery or burglary or what they call black-on-black crime, even. But if you look behind that, as to why they are in this condition, why do they have so little sense of investment in life and in the society around them?

Because they have not been exposed to the better things! Those things are alien to them. And you have to create an entirely new sense of cultural and personal awareness, which requires *investment* into the human resources in these communities that this country is not prepared to do. The *refuse* of our ills and of our mistreatment [02:30:00] of these *centuries* is there, that becomes the fuel that nourishes this continuing nihilism and this continuing walk in and out of prisons of our young people. And it's the justice system that becomes the gatekeeper that revolves them in and out. But the ones that come *in* with these pathologies *leave* with the same pathologies, only to return.

DC: Right, right. And this expectation that they will be incarcerated back to normal and—right, you've got to break that cycle.

DB: Because, you know, if you look at why a people—I mean, when I was growing up, there were cases of blacks who would be violent toward each other, but often that was family or friend violence. Today you have a lot of this violence, senseless violence that emanates from gangs or from the attempt to imitate gangs. And what causes a young person in his or her teens to

associate with an organization that has so little respect for another person's life or suffering, or their *own* life, because they surely know that there's a price to pay. But it gives them a sense of bigness and some sense of worth that they can identify with these criminal elements, these gangs. And the bigger, the more criminal they become, at times, the bigger they feel within their, within this—

DC: Tiny world.

DB: This diseased infrastructure that they've become a part of. And society wants to condemn them, looking at the end result, not recognizing its complicity in creating this monster that's out there and that's continuing to grow.

And it *can* be reversed, but it takes not only resources, but it takes a different attitude. And white people have got to stop being defensive and being in denial. You cannot eliminate generations of racism in 50 years. There's just—and people who say, “But I don't see color,” are just *liars*. I mean, you have to see color every day, and you may as well admit it, and then ask yourself: What does it mean when I see it, in any given situation? And am I doing the positive in this situation as I see this color, my color, his color, her color? Or am I creating negative energies that are making the situation worse? But so long as you're in denial and are quick to take offense and say, “Oh, well, he's overly sensitive—”

DC: Right.

JB: That was a great speech.

DC: Yeah, that was. It was a great answer. And, I mean, and it's interesting that the moment of the Obama election—I mean, the Obama presidency plays into this, right? Because there was a feeling of, like, this is a Band-Aid or a panacea or however you want to describe it. That's when we heard so much of this, pardon me, but b.s. about “beyond race.”

DB: And my wife and I were in the Gulf on a cruise the night of the election. We had voted early. And I'm frankly glad that I was not ashore, where I would have to contend with the difficulty, personally, of knowing that, in spite of all this exhilaration, that the next morning was going to bring the same challenges and the same battles as the morning before.

DC: Um-hmm. Or maybe even more, because then you've got some people who are excusing themselves or patting themselves on the back, right?

DB: Absolutely.

DC: So, pretending the problem has been solved somehow. Sorry to interrupt. [Laughs]

DB: No, that's it.

DC: Hmm. Very interesting. Okay, we could go on for hours, but we need to talk about— let's talk about the Civil Rights Center, and then we'll wrap up.

DB: Okay.

DC: Thank you for giving us so much of your time.

DB: Oh, sure. I'm glad to.

DC: I'm sorry to take over like this.

DB: Give me one minute. I have to check my—

DC: Yeah, of course. Of course. Let me—

[Recording stops and then resumes]

JB: We're on the road again.

DC: Okay. Alright, so you return to your hometown in 1971—?

DB: '74.

DC: '74, okay. And start practicing law here?

DB: Yeah. My brother was practicing here since '65, and so I shared office space [02:35:00] with him, from '65 on, actually, until I was elected judge in—or from '74, rather, until I was elected judge in 1990. And when I first got back to Memphis, I knew that people would be a little concerned that here's this crazy radical Californian, so I, in addition to practicing law, I wrote a weekly column in the morning paper each Monday, an op-ed piece. And that gave me—and I did that for seven years, and that gave me a chance to kind of level out the perception of me, as opposed to letting people perceive me as being this wild-eyed California radical. And that, I thought, was helpful.

And in '83, I ran for mayor because I felt that there was a need to introduce my kind of thought in the process. There were two other black candidates and one white candidate in that race, major candidates. The papers treated the four of us as major candidates. But for me it was an opportunity to advocate. The white candidate won, and that was likely to happen in any event because of the strength that he brought into the race. At that point, we had not yet elected a black mayor in Memphis, but that was a foray that I undertook in '83. I continued my law practice and then, as I said, was elected judge.

Well, back in '82, while I was practicing law, I ran into Mr. Walter Bailey, who was the black man that owned the Lorraine Motel. And Mr. Bailey had the first—had the same name as my father. They were both Walter L. Baileys. When I grew up, people often thought that it was my family that owned the Lorraine Motel, even though it was a different Walter Bailey. So, I saw Mr. Bailey. I was going into a little neighborhood convenience store to buy a beer. And there was a laundromat next door to it, and Mr. Bailey had been in that laundromat to wash and to do his laundry. And it was down here at Vance and—a few blocks from where the Lorraine Motel is.

And I really had never been that much involved with or thought much about the Lorraine. This would have been when I first met Mr. Bailey—let's see, the foreclosure on the motel was in 1982. I met Mr. Bailey around 1979, I think, somewhere thereabouts. And he was struggling to try to keep the doors of the place open. His wife had had a stroke the night of the assassination, and she died three days later. And she had helped him to run the business. So, Mr. Bailey continued to operate it. So, I introduced myself to him, and this was, as I said, late '70s.

DC: Had it been a sort of shrine, of sorts? Did people come to visit it?

DB: Oh, yes. After the assassination, people were continuing to make pilgrimages to the Lorraine Motel, but it was basically a rundown motel.

DC: I know that the Poor People's Campaign announced its start there with Reverend Jackson and others.

DB: Yes.

DC: So, it did have some resonance, but as an establishment, it had really run down?

DB: Yes. Well, there were three buildings on the property, one of which was an older motel building that was closed. And then, there was a second hotel building which was attached to the office, and that was basically closed. And the only one of the three buildings that was largely functional as a motel was the L-shaped building where Dr. King was standing on the balcony of.

And much of the business there, or at least, I'd say, probably half of it, were prostitutes. Because after the assassination, that area of downtown was really decaying or had decayed, and there were no businesses of any consequence in that area. It was a dark and seedy area, and there were prostitutes up and down the street and using the rooms of the Lorraine. And Mr. Bailey was trying to make ends meet, as best he could.

He had created a little bit of a shrine in the room that Dr. King had last occupied, where he kept the dishes that Dr. King last ate from, which I now have, actually. And he kept the library of his wife on display. And he kept shoes of his wife. They were in a display case next to the dishes. And people would come and go into that room. [02:40:00] And it was small, simple, but very hallowed. And it was open to the public, you know, there was no charge. People would leave donations. But that was it, as far as any kind of shrine at the site. Otherwise, he was trying to run the motel.

And I incorporated for him a nonprofit group, the Lorraine-King Shrine Foundation, and they were to then try to raise money to build a significant shrine there at the Lorraine. He couldn't get any support. There had been people, from time to time, who would come in from out of town, or maybe locally, say, "We're going to do this at the Lorraine and we're going to raise money." None of it panned out. He was trying to keep the doors open, just with the business that he could get on a day-to-day basis.

And, in fact, I went with him one day as he took his mortgage payment out to the mortgage holder's home. And Mr. Bailey and I went out there to—Harry Sauer was the mortgage holder. And I remember Mr. Bailey pulling out a little small brown paper bag that he had his cash in, and he counted out his payment to Mr. Sauer there, and they chatted for a bit, and we left. But that was the level of business operation at that time.

When he couldn't get any traction, any interest in the shrine foundation, I did then go to a local white businessman, Murray Reiter, who had a construction company, and that's R-E-I-T-E-R. And I said to Mr. Reiter, "Look, come on down and let's look at the Lorraine, and let's put together some money and buy it privately and develop it." And he looked at it and brought some other partners down to look at it, and they said, "We're not going to do it." So, that was about all

I could think of to do at that time. Again, this was nothing public, because I was not prone to any kind of public campaigns and I wasn't that vested in the issue, for that matter.

Mr. Sauer initiated foreclosure on the place, and Mr. Bailey then had to file bankruptcy in order to stop the foreclosure, and that happened in April of—the early spring of 1982. And Mr. Bailey got an order from the bankruptcy court to stall the foreclosure. And when that happened, the black-owned, not black-owned but the black-oriented radio station, WDIA, here launched a campaign here to raise money to save the Lorraine. And Chuck Scruggs, who was the general manager there and two or three of his staff people were going to organize a major fundraising effort to buy the Lorraine from Mr. Bailey.

And that's when they called me and asked me to join their effort. And I incorporated the initial foundation, the Lorraine—well, we actually called it the Martin Luther King Memphis Memorial Foundation. But the effort of the radio station that was going to raise the money to buy the Lorraine directly from Mr. Bailey fell through. They were unable to raise any significant money. After two delays from the bankruptcy judge, he allowed the foreclosure to proceed.

Now, we had done all that we could. I'd—by this time, now, I am out publicly with the radio station and the people about raising money to save the Lorraine. And I really very bad because it was not my approach on things to get out into a big public campaign without at least seeing a reasonable chance of success. But I was banking on the radio station being able to deliver, which they couldn't.

The foreclosure went ahead, and the sale was on December the thirteenth of 1982. And the mortgage was about \$153,000, I believe. And Mr. Sauer's son, Raymond, did the bidding at the courthouse on the day of the auction, which was at twelve noon. And I bid for my nonprofit group. Well, I went to the auction and I think I had about \$50,000 that we had raised in our

different radio-thons and everything we could do. So, that was well short of what we needed to get close to the mortgage holder's mortgage, and he could bid up to that. And if no one matched it, then he could walk away with the place.

Well, the union leadership had promised that they would give \$25,000, the AFSCME union, and I was on pins and needles. [02:45:00] And Jim Smith, who was the head of the union, locally, showed up 30 minutes before the auction, and he had a check for \$25,000. That put us at, let's see, we had the \$25,000 from the union—we still were well-short. We ended up with a \$140,000. We must have had \$65,000 going into the auction, because the \$25,000 from the union put us at \$90,000.

And one of the leaders of my little small group, the Martin Luther King Memphis Memorial Foundation, was a black lawyer, A.W. Willis. And he came to me on the steps of the courthouse and said, "Look, D'Army, we can borrow \$50,000 from Tri-State Bank." Well, that was the black-owned bank. And Jesse Turner was at the auction, who was the head of the bank and was one of my group. So, he said, "Well, I will loan the money if you get me two guarantors." I went to Jim Smith, of the union, and I said, "Jim, will you all guarantee \$25,000?" He said he would. And then, I went to Paul Shapiro, who had a cosmetics company, and I said to Paul, "Paul, will you guarantee \$25,000," which he said he would. So, with their commitment there on the courthouse steps, we had another \$50,000.

DC: This is all happening right before the auction?

DB: Just minutes before the auction. When the auction started, I had \$140,000. As the bidding started, I was bidding, and initially, there were probably a half dozen or more people bidding. But by the time the bidding got to \$100,000, it dropped off to just being Sauer and me. And I'd make a bid, usually in increments, say, of \$5000, and he would increase it by \$5,000.

And this went on until I got near to the \$140,000, which I knew was all that I had. And when I finally did get—well, actually, I went over the \$140,000, but I started dropping the bid down to thousand-dollar increments. He kept bidding over me. And I finally got to \$144,000, and I said, “And not a penny more.” And he didn’t bid after that. And so, the hammer fell at \$144,000.

I got home that night and I called Jack Belch, who is the owner of the Peabody Hotel here. And I had been able to call on him from time to time for small support, not financial, but if I needed a meeting place at the Peabody or something. So, I told him I needed \$4000, and he raised that for me overnight. I had to appear at the auction company the next day with a cashier’s check for \$144,000, which we did. So, we bought it.

So, here I am. I’m practicing law. Chuck Scruggs is a radio station man. Jesse Turner is a bank man. So, none of us were in this thing to build a motel or run a shrine. So, what do you do now? We own it!

DC: [Laughs] You own it.

DB: So, we turn to Bailey, and we say to Mr. Bailey, “Look, you continue to run this place, and you don’t have to pay us any money. Whatever you make you keep to pay for maintenance and what-have-you. Try to keep the prostitutes from being so aggressive.”

DC: [Laughs]

DB: We knew that he wasn’t going to stop it, I mean, he *couldn’t* stop it. He continued to operate it from the time we bought it in ’82 until finally we got the project funded in 1986, but we didn’t start construction until ’88, when they closed the Lorraine, and the construction actually began.

Well, once we bought it, I got a letter from Mrs. King’s lawyer in Atlanta, and the lawyer said, “If you don’t drop Dr. King’s name from the project, we’re going to sue.” At that point, I

reported it to the board and recommended that we drop it, which they did. And we renamed the foundation the Lorraine Civil Rights Museum Foundation, which is the name of the organization now that currently runs the museum.

But, actually, it was really a blessing in disguise that I had gotten that letter from Mrs. King, because I had not made any overtures to them, although I later was told that Chuck Scruggs at the radio station had apparently had some conversation with her before I got involved, which didn't go very well, and that that might have created some difficulties. I don't know, because, as I said, I didn't have [02:50:00] any—until I got that letter, I had had no contact with the Kings. But by getting that letter and by dropping Dr. King's name, it then freed me from having to be involved with having to go back and forth to the King family to discuss what we were doing or to get their approval on anything. So, she made a couple of comments to the media that our project was morbid, that we shouldn't be focusing on a place of death. And I didn't get into a debate with her about that. We just kept going.

Now, here we are. We own the Lorraine. We've got no money. The debt—we owe the bank \$50,000. So, it was at this point that—I mean, none of the others really had much of an idea of what we were going to do with it. My ideas came from my involvement with the Movement, and I knew that it was a place of tremendous magnetism, that people would always come from around the world. And having been privileged to be a firsthand observer and participant in a very dynamic Civil Rights Movement, it was clear to me that the thing to do would be to wed the spirit and the strength of that Movement, and the story of that Movement, in the most dynamic way to this site, and to build an exhibition there that would make the visitor a *part* of the Movement, because the Movement by this time was no longer.

But I knew, I had seen how engaging the Movement was to young people, how it would bring people in and get them motivated and convert them to warriors. I felt that we don't have a Movement, but if we create one here, we can perhaps continue to churn out new activists. We sent out—I got some architects to volunteer their time to help come up with some very rough plans. And with that, I asked Belch to give me a room at the Peabody to bring in some government leaders, and they gave us \$50,000, which we used to ask for proposals from consultants, and we had a half dozen different proposals that came in.

And among those was a proposal from Ben Lawless. And we had a three-member committee—myself, John Elkington, who was a white developer, and A.W. Willis—and we looked at those proposals. And when I saw the proposal that Ben had, and Ben's proposal was largely the same exhibition design that is in the museum now. Now, it's being redone now, but that's been the museum for the last 21 years. I saw that this was someone that had immediately captured the spirit and the energy that I wanted to see conveyed in that museum. The way he had laid out the exhibits to make them interactive, or not so much interactive, but make them dynamic with voiceovers and music and photographs to bring to life. Now, I told them that I wanted them to burn that bus and put it in there, because I wanted people to have a feeling of being on the scenes. I wanted them even, if they could, to smell the tear gas. And we had the sounds of barking dogs and what-have-you in the Birmingham exhibit.

With the design that Ben created, because we then hired him on the basis of his proposal, gave him the \$50,000, he came back with a much more detailed plan for the museum and a price tag of \$8.8 million.

DC: [Laughs]

DB: So, I say to Ben, “Well, alright, Ben, how are we going to find \$8.8 million?” And he said, “Well, get the state to give you half, and get the city and the county to give you half each, or a quarter, 25 percent.” So, I went to the—Willis and I and Scruggs—I think he was with us. I know Willis was. We met with the leader of the county government, and he said no. The city government leader, I couldn’t even get a meeting with. Then Willis had gotten a black in the legislature to have introduced a bill to give us \$10 million, and it was just laying in the legislature. Nothing had been done on it. But I knew that we were at a dead-end.

So, I called a Republican that I knew locally, because Alexander was a Republican governor. And I said, “Can you find out where the bill is?” And he checked and he said, “The bill is nowhere. It’s just up there.” So, I called the legislator who introduced it. I said, “Roscoe, we need to get that bill moving.” So, then we—A.W. and I and a staff person that had been assigned to work with us from a government agency—went to Nashville and started lobbying the legislature. And we went from office to office, talking with the legislators. And Ben Lawless came in from Washington. We met with the Speaker of the House, Speaker of the Senate, and we argued—we didn’t argue with them—we made presentations about what we were trying to do.

They saw it as a Martin Luther King project. That was a positive [02:55:00] for us at that time. We had a Democratic-controlled legislature. And there were some people who had some misgivings, that they thought it would create antagonisms and tension. And I would argue, or say to them, “No, this is just to inspire people,” although I was hoping that it *would* create these antagonisms and tension. That was the underlying idea.

DC: Um-hmm. Did they see tourism dollars, too, at that point, or not?

DB: No.

DC: No, that wasn’t even mentioned, okay.

DB: They saw it as something black people wanted, and it was a King project.

DC: Okay, right.

DB: In fact, one day, I went by one of the legislator's office, as we were lobbying. And he said, "Mr. Bailey, let me—if I can speak frankly with you, I'll tell you something." He said, "We were talking, me and some other legislators, here last night at dinner. And they said these black legislators—" and most of the blacks in the legislature were from Memphis, still are. We had probably a dozen black legislators from Memphis, and the rest of the state combined only had two or three. He said, "These black legislators want this money for your King project, but they've also got their own projects that they want, and you can't have everything. Now, if they tell us that this is their number one priority, you can get your money."

So, I saw these black legislators the next day and I said, "Fellows, let me tell you what the white man told me. He said, 'Now, y'all got these other projects,' and I respect that. But you're going to have to put those on the back burner and let them know that this is the number one priority." And, to their credit, they did. And when the black legislators let it be known to their white colleagues that they wanted this King money—at that point we were down to asking for \$4.4 million, which would be half, half of the \$8.8 [million] we needed. With the black legislators solidly behind it, the Speaker of the Senate was behind it, and the Speaker of the House was behind it, both Democrats, it passed something like 83 to 17 in the House, and 33 to nothing in the Senate.

In fact, I was in the Senate gallery when it passed, and one of the—I asked to look at the agenda of one of the aides that was in the gallery where I was. And someone had written by that item for the Lorraine, "This bill is going to pass anyway, so vote your conscience." And it passed 33 to nothing in the Senate.

So, we left there with \$4.4 million. Came back to Memphis, and then gathered the local leaders and said, “Look, we got half the money.” I brought in some legislators from Nashville. “We need the other half from you.” The county mayor balked, but he finally came on board, and we got the other \$4 million locally. Then the question came up: We’ve got \$8.8 million, and we were meeting in Nashville at this point—

DC: So, raised from local business people or—?

DB: No. \$2.2 [million] from the city government, \$2.2 [million] from the county government, and \$4.4 [million] from the state.

DC: Okay.

DB: No, the only money we got from local businesses was Paul Shapiro, who I’d put on the board, who gave us \$10,000. That was *it*, as far as local business support.

DC: Wow. But everything else came from government?

DB: Yeah.

DC: Okay.

DB: So, then, A.W. Willis and I—well, A.W. was physically—was suffering from cancer, actually, so he ultimately had to stop working on the project. But up until that point, he was with me when we’d go to Nashville on most of these trips. And he was with me when I was sitting at the table with representatives of the three governments in Nashville and the question came up, “Well, we can’t give all this money to this nonprofit group,” talking about our organization. “We’ll have to give it to a government entity.” The city of Memphis didn’t want it. Of course, now, this was a white mayor at the time. This would have been ’86. The county didn’t want it, white leadership.

So, I said, “Well, we’ll give title to the state, if the state will build the museum,” because my organization still owned the property. The state said, “Well, we’ll take it.” Now, the condition was that, “We’ll give you the title if you’ll build this museum according to the plans that we have here, which were the plans that Lawless had designed.” So, they agreed that they would do it. The city and the county agreed that they would send their \$2.2 million each to the state. And thus it became and is the only state-owned museum in Memphis. But the state took the title because—I was kind of happy with that, because I figured that that would limit political interference as we went along, local political interference.

So, we then—once we got the money in place, as I said, it was about ’86, then I had to meet—by this time, it was me alone, because Willis was no longer able to keep going to Nashville. So, I would then start meeting with the state architect. We had one bit of a flare up, because Lawless had recommended a white architect for the project here locally, and I was backing his demand and I supported the one he wanted. [03:00:00] Well, one of the black legislators said, “No, I want *my* man,” who was also a white architect.

DC: Oh. [Laughs]

DB: With the standoff between the two of them, because at least our plan had had a collaboration with a black architectural firm in Nashville, the state said, “Well, we’ll give the job to the black architectural firm in Nashville.” So, the black firm in Nashville got the job, McKissack & McKissack, but with the condition that I extracted from the state that they would put the state architect largely in charge of the project, because this was a major project that I wanted to make sure was going to be done right. So, Mike Fitz, who was the state architect, actually took control of the project. We had to do all of our meetings and planning in his office in Nashville, where we proceeded to send out bids for contractors and designers and all of that. So,

everything was then being done with me traveling to Nashville, Lawless coming in from Washington, [03:00:56] from Kansas City, the architects here in Nashville.

DC: Meanwhile, you're still practicing.

DB: I'm still practicing.

DC: So, you're burning the candle.

DB: Yeah. And I've got a board which hadn't been coming to board meetings, but then, as the project was becoming a reality, they started coming to the meetings and wanting to know what's going on and where do we get input? And basically, I was filibustering them, holding them at bay, because I didn't want them to have input, because we had designed this thing, we knew what we were going to do, we had the team that was doing it, and I didn't want to have to then deal with the politics of, "Well, should you have this person in the exhibit, or this person in the exhibit, or this theme or that theme?"

DC: Right.

DB: I would basically stonewall the board. And then, they wanted to have new elections and bylaw changes, because they were trying to figure out some way to get a handle on how to control this process, and it was moving and moving real fast. And my objective was to keep them out of it, let the people, the team that we working with in Nashville. At that point, and this was as construction got underway and it was being built, they were getting madder at me, some of them on the board. I had some supporters. We had a board of probably 15 people. I had maybe six or seven that were good strong supporters. About four whites that were on the fence, but when they saw the tension, they saw an opportunity, at least one of them, a millionaire member of the board, to step into a vacuum there and align himself with one of these factions. And he ultimately aligned himself with the faction that was against me, because he knew that I wouldn't

allow him control of this organization, whereas the others didn't have anything really to bring to the table to withstand his money and power. And that's Pitt Hyde, who now chairs the executive committee of the museum and basically controls the museum.

But what I would do is—the board meetings would sometimes break up in disarray. I mean, rather than have them vote on things that would create problems, I would be involved in heated discussions and arguments with the board, and people would just get so frustrated and tired, and they'd throw up their hands and walk away. And then I could return to the calmer meetings in Nashville, where we were continuing to put this project together. My objective being let me get this thing done and through before they get the control that they are after. By the time it opened—we had built this and built it right, but they were, some of them, furious with me and were finally moving forward to get bylaw changes and elections.

DC: This is the better to ask forgiveness than permission effort. [Laughs]

DB: Absolutely. And then, Ben Hooks was the one that—he had been on the board for, let's see, by this time, it was '91, when we opened the museum. And he had been on the board for probably at least five or six years, but had never been to a meeting. But a couple of the people on the board who were close to him had talked to him in New York and gotten him to agree that he would serve as the president if they had enough votes to elect him as opposed to me.

And when I was trying to strategize on how to forestall this, which was essentially going to be a losing effort, but I called Ben, who professed that he knew nothing about the plans underfoot. And yet, when I got to the board meeting, they had a letter from him, saying that if they voted him in, he'd take the job. By this time, the museum has been open [03:05:00] for six months.

DC: It's open, yeah.

DB: They voted in a nine to six vote to elect Ben as the president of the board, and they put the white millionaire chairman of the executive committee.

And they were going to have me to serve on the executive committee, but I had my letter, statement of resignation from the board already prepared, which I read that night, and resigned from the board. Because I had—by that time, I knew I had no strength to try to have any—I mean, I'd have to start from scratch on any new agenda, because, see, my idea was to move from the museum to a place of action. That's why when I opened the museum, I brought in Bob Moses, Julian Bond, John Lewis, all of those activists from the Movement, because my view was that I was going to use those people and use that place as a center for their energies and to build new energies to carry on for the Movement, which is not what it is now. Now, it's basically a corporate—most of the board is controlled by corporate people who—I mean, some of them are black, but they still represent interests of corporations. And that's where the money now that fuels the museum comes from. It's no longer self-controlled.

DC: And you had said that you originally wanted to call it a center rather than a museum?

DB: Yes, the National Civil Rights Center. But I used the word museum in one of our meetings in Nashville. I told our group, I said, "Let's change it to museum," because periodically, I'd still have to go before the City Council or the County Commission for different approvals, because at one point we had to get additional money. We had to go before the state Building Commission in Nashville to get different contracts approved. We were still in political waters. And I knew that there was still an uneasiness about where this thing was ultimately headed, and I thought that by calling it a museum, it would give it a more neutral appearance and create less problems for us.

But it wasn't my idea to really have a museum. It was my idea to have the Movement represented there in those exhibits as the beginning point for people to become re-energized and create a new spirit of activism.

DC: And you feel that that hasn't happened?

DB: No.

DC: Or not to the extent that you had hoped?

DB: It hasn't happened at all. And Hyde, who now controls the board, told me, "Well, D'Army, if that's what you," said, "That's not what the museum is for. If you want to do that, you need to build your own museum."

DC: Hmm. Now, when we were down there today, we heard the plans described for the new building, and that there *would* be that aspect to it, that at the end of all the exhibits, you would be sort of inspired or asked what are you going to do?

DB: Well, you can *ask* that, yes, but that's not the same thing as having the planning going on there at the site, having the—I mean, how *can* you? Let's face it. The problems of America, the challenge of change, progressive change, in America is still to tackle the corporations. Now, how are you going to have an institution that has now been taken over by the corporations—Federal Express, International Paper, AutoZone Corporation—which had been sued for major racial discrimination and, in fact, at the time that this discrimination was going on, Hyde was the chairman of the corporation. First Tennessee Bank—I mean, these are the corporations that are seated at the table at the board.

And so, corporations—I mean, it's not just the museum. I mean, this is happening across the entire Movement. We talked earlier about the foundations. They didn't extract a pound of flesh from the integrity of the Movement. They stood to the side and thrived on our

independence. They didn't try to tell Chavez or King—I mean, they may have, if asked. And they had their own ideas of things they wanted to fund, such as Les Dunbar wanted to see the Children's Defense Fund, but he was a big supporter of Marion Wright Edelman.

But it's a whole different scenario now. The *corporations* are the ones that are doing the funding, and that's why the Movement has basically been killed, not just at the museum, but the Civil Rights Movement itself, the NAACP. When Bloomberg wanted to talk about limits on fast foods, the NAACP [03:10:00] said, "Wait a minute! We don't need any limits on—obesity is not a problem." That's in essence what they said, because they're getting money from some of these fast food giants.

It's a monster. And that's why when I said earlier, and I'll say the same thing about the museum and about the civil rights organizations that I said about politics: Institutions are only useful to the extent that you can use them to make change. At some point they become obsolete, in terms of your objective, and you have to create new forms to bring about change.

DC: Or not only obsolete, but obstacles.

DB: Absolutely, absolutely.

DC: Yeah.

JB: Well, that was a great sound bite. Making change.

DC: That was terrific. Should we end there? Or should—well, we probably should end there, because we've taken up hours of your time.

DB: Oh, well! It's been my privilege.

DC: It's been an absolute pleasure. Thank you so much for doing this.

[Recording ends at 03:11:00]

END OF INTERVIEW

Transcribed by Sally C. Council