

**Interview with David J. Vann**[Table of contents](#) | [Add to bookbag](#)**Interview with David J. Vann**

Production Team: C

Interview Date: November 1, 1985

Interview Place: Birmingham, Alabama

Camera Rolls: 517-520

Sound Rolls: 1508-1510

Interview gathered as part of Eyes on the Prize: America's Civil Rights Years (1954-1965).

Produced by Blackside, Inc.

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

FILM PRODUCTION TEAM:

Sound roll 1508. Camera Roll 517

FILM PRODUCTION TEAM:

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

QUESTION 1

INTERVIEWER:

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

David J. Vann:

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

QUESTION 2

INTERVIEWER:

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

David J. Vann:

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

QUESTION 3

INTERVIEWER:

THEN WHAT MADE PEOPLE SUDDENLY TAKE ACTION? UH, THINK ABOUT SIDNEY SMEYER REALIZED THAT THERE HAD TO BE CHANGE, WHAT CAUSED ALL THAT?

David J. Vann:

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

QUESTION 4

INTERVIEWER:

OKAY, DAVID, UH, WHEN JOHN SAYS OK WHY DON'T YOU JUST GO AHEAD AND LOOK AT THE CAMERA...

David J. Vann:

Well, when the Freedom Riders came into Birmingham and Bull Connor withdrew police protection, and allowed them to be beat up, and the police came in three minutes they just let them have enough time, but they not only beat up Freedom Riders, they beat up Clancy Lake, a local radio newsman, they uh, took a camera away from the Post-Herald photographer, opened and exposed the film, uh, and both newspapers came out with front page editorials, "Where were the Police" uh, the picture that ran internationally was actually a picture that the Klansmen thought they had destroyed when they opened the camera, but it had already been rolled into the cartridge. And when that picture ran, it came out of Birmingham, by a Birmingham photographer, uh, and it ran on the front page of newspapers around the world. In fact, uh there were a group of Birmingham businessmen from the Rotary Club uh, were in Tokyo, Japan, at an International Rotary Convention and that picture ran on the front page of Tokyo newspapers. And one of the gentlemen that was there in Tokyo was Sidney Smeyer who was the incoming president of the Birmingham Area Chamber of Commerce. And that picture as much as anything else, I believe, convinced him that *something had to be changed. That the business community when they had supported Bull Connor for election they really hadn't intended for him to do things like the allowing things like the bus station to have, to occur.*¹ And so when he got back to the United States, he formed a committee made up of

QUESTION 5

INTERVIEWER:

OK, WHEN SID SMEYER GOT BACK UM...

David J. Vann:

Well, when Sidney Smeyer got back from Tokyo...

QUESTION 6

INTERVIEWER:

IT'S OK, GO AHEAD, IF IT GETS REALLY BAD THEN WE'LL JUST STOP.

David J. Vann:

He, he formed a committee called... [overlap]Ok, when Sidney Smeyer returned from Tokyo, he formed a committee made up of senior partners in local law firms, the presidents of all the major manufacturing operations, the presiding judge of the state courts, and other community leaders. There were about 400 in all, and they set about looking at the racial situation in Birmingham. They formed one committee that started meeting and talking with black leadership, they formed another committee to look at organization of government and political structures and political things that might be important. And they decided to ask the Birmingham Bar Association to make a study of what kind of government would be best for Birmingham. In March of 1962, that committee recommended a change of the formal city government. They recommended that they go to the next legislature and get several amendments made to the law to raise the mayor's salary, give him the veto power, give him an Administrative Assistant outside Civil Service. Um, some of the members of that study committee began making speeches at civic clubs, and there would be intermittent stories in the newspaper. I remember in August, as I was driving into work one day, a local radio commentator who worked with WAPI news and ran a talk show at night, and in the morning he would usually do an editorial with some controversial to try to stir up people calling his program at night, he came on the radio and said that uh, all this talk of changing the form of city government was all right but people either oughta get behind the change, or they oughta get behind the government we have, um, it shouldn't be left as an unsettled thing. And I remember saying to myself, you know, he could stay up there on top of the mountain with his radio station and think about somebody going out and getting a petition with 10% of the voters, and I knew what had happened in the past, one group had tried to put petitions out in drugstores, and the plainclothes policemen would just come by and pick them up. Or they'd sent, tried to do it on postcards and they, whoever the committee was lost them, but then I was the chairman of a committee called the "Jefferson County Democratic Campaign Committee" and we had our first reapportionment court order in June and in August we were electing our first new members of the legislature from this county that 10 additional representatives had been awarded by the court. And our committee had been busy promoting this election. So the election was very much on my mind. And I said to myself, "You know, if I could just have a petition booth, across the street from each election place, I believe I could get all the names I needed in one single day." So I called up a member of the committee, Abe Berkowitz, and I said, "Abe, do you really want to do it, I figured out how to do it." And Abe said, "Well, that sounds pretty good, let me talk to some businessmen." He called me back, fairly shortly and said, a committee businessmen would like to talk to you this afternoon. And I said, well how 'bout letting me bring the President of the Birmingham Labor Council. He said, well, they'd just been like to decide what they want to do and then see if they can get Labor to support it. And I said, Well, you're going to need Labor support and you'd better have them in on making the original decision." So that afternoon, I arrived with the president of our Labor Council and we had representative of the Chamber of Commerce, the PTA Council, the Real Estate Board, and I presented my scheme for getting all the names in a single day. And uh, Sid Smeyer was sort of the chairman of the meeting and he immediately said it was a good idea. And...

QUESTION 7

INTERVIEWER:

WHAT IF WE CAN KIND OF MOVE FORWARD JUST A LITTLE BIT NOW. WE'VE GOT THE UH, THE PETITION OUT HERE, SO I THINK WHAT WE NEED TO DO, BECAUSE... [overlap] YOU'RE GIVING ME ALMOST MORE DETAIL THAN I CAN REALLY WORK INTO THE STORY.

David J. Vann:

Okay, but again, Sid Smeyer was a very significant figure. In that, he took my idea as a young lawyer, we put it into a petition, we made the petition with snap-out carbons that we had a whole campaign organized the minute we got the petition. And, we got 12,000 names almost in a single day and, had virtually a political revolution on our hands.

QUESTION 8

INTERVIEWER:

NOW, PART OF THAT REVOLUTION, OF COURSE WAS GOING TO MOVE TOWARD, TRYING TO UH SET UP THAT NEW GOVERNMENT WHICH WOULD CHANGE THE UM, THE OFFICIALS...

David J. Vann:

That's right. When, uh, when we got the petition, there then had to be an election to decide what kind of government the city would have and if the people voted to change the government, it would change it immediately. The, as soon as you elected the new government, Bull Connor would cease to be the Police Commissioner, the other Commissioners would cease to be officials and the Mayor and nine Councilmen would take over the operation of the government of the City of Birmingham. And uh, although Mr. Connor ran for Mayor under the new form of gov...

FILM PRODUCTION TEAM:

SIDE TWO

David J. Vann:

And, uh, although Mr. Connor ran for Mayor under the new form of government after the people voted for it, uh he was defeated by Albert Boutwell, former Lieutenant Governor of the state, a conservative figure but a moderate and, and very great gentleman. And, uh, I remember the day we swore the new government in, and here's the new day starting the commission immediately announced they'd been elected for four years and wouldn't leave office. And then that afternoon, Dr. King announced that he has decided to go forward with racial demonstrations in Birmingham. So, in a single day we instituted a new government, the old government refused to leave and Dr. King and the SCLC began the Birmingham Marches. Uh, and *the marches occurred almost entirely during the 37 day period when Birmingham had two governments,*² and I mean it literally had two governments. If you went to see the Mayor, the secretary would say, which one? And Mayor Hanes was in one corner and Mayor Boutwell in the other. *On Tuesdays, the Commission met*³ at 9 o'clock and *proceeded to govern the city and when they finished, they would march out and 9 Council members would march in and they would proceed to adopt laws and spend money and conduct the affairs of the city.*⁴ So you have in City Hall today, there are two sets of minutes, there are two governments

FILM PRODUCTION TEAM:

[Getting ready to change to 1509. And camera is also going to change to 518, Birmingham, Alabama, 1 November 1985, Interview with Mr. David J. Vann

FILM PRODUCTION TEAM:

Sound Roll 1509, Camera Roll 518]

QUESTION 9

INTERVIEWER:

JUST GIVE ME A SUMMARY OF THAT NEW DAY IN BIRMINGHAM.

David J. Vann:

Well, *I remember now the day we swore in the mayor, new mayor and council, and the headline said, "A New Day for Birmingham," and before the day was over, we discovered we had two mayors, two city governments, and Dr. Martin Luther King and the SCLC starting marches up and down the street.*⁵ Uh, At first, there was a lot of

resentment, both in the black community and the white community. I remember, I felt, you know, that I had set out to prove what you could do through the democratic process, and how you could bring substantial change even in tough things like race, by vote of the people of the city. Some of the black leadership had worked hard on electing a new mayor, and defeating Connor. They felt they had commitments from the new government, and Dr. King was trying to pick up their crackers you might say. Um, But then, about a week or so later, Bull Connor, uh, brought the police dogs to the scene of the marches, and he was also the head of the fire department, and he had the fire department and their hoses, come to the scene of the march, and I remember I was talking to a black businessman on the telephone, *and he was expressing a great deal of resentment about King coming in and messing up the thing, just when we were getting a new start, and then he said to me, he said, but, Lawyer Vann, he said they've turned tire hoses on those black girls, they're rolling that little girl there, right there in the middle of the street, now, I can't talk to you no more,*⁶ and there in a twinkling of an eye, the whole black community was instantaneously consolidated behind King. They were no longer arguing among themselves they were all, like one man, behind Dr. King. And while many people probably think these marches took place over many blocks, very seldom did they march further than from 16th Street to 17th Street. And *it was a masterpiece of the use of media to explain a cause to the general public of the nation. Because in those days, you had fifteen minutes of national news, and fifteen minutes of local news, and in marching only one block, they could get enough news film to fill all of the newscasts of all of the television stations in the United States.*⁷ And of course, when the police dogs arrived and they started the hoses, the — the water, that just created very dramatic pictures, there was no way Dr. King could have bought that kind of thing. I remember I was on a panel with Wyatt T. Walker, who was one of King's strategists, and he said that, they tried to talk us out of starting the demonstrations, and give the new government a chance. But we realized that this was our last chance, to demonstrate against Bull Connor. And with his colorful language, and colorful expressions, we knew that sooner or later he would do something that would help our cause. And they were right, cause, the ball game was all over, once the hoses and the dogs were brought forward.

QUESTION 10

INTERVIEWER:

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

David J. Vann:

Well, shortly after that, I got a call from the Vice President of Sears and Roebuck, asking me if, and they had a store downtown, if he thought I could put together a black committee, to meet with a white committee, and would I undertake negotiations? And I called Arthur Shores, and I said Arthur, I can get a white committee, can you get a black committee? And Arthur had been one of the principal civil rights lawyers here for many years, called me back shortly and said yes, I can get a committee. And that night, we began meetings. And instead of two groups of people snarling at each other, you had a group of people from the white community, and a group of people from the black community, and we all knew we had a problem. This was our city, and we had to find some way to resolve it. We had Bert Marshall, who had been sent to Birmingham about that time, sitting in on our meetings, representing the President of the United States. We had, uh, um, the executive secretary of the new mayor, sitting in our meetings representing the new government, we had businessmen that represented the business power structure of the city. And *so we began analyzing, now what are your problems, what are our problems? We've got to recognize, one, that we don't have a government, we've got two governments, neither of them can be effective. Uh, We've got to find a way to work this thing out within private sector formats.*⁸ And as soon as the — and, by the way, Dr. King's representative in the meetings was Andrew Young, now the Mayor of Atlanta. So, uh, as soon as we reached that point, which was during the first night, they went back to talk to their

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

QUESTION 11

INTERVIEWER:

LEMME JUST UH DROP—JUMP IN HERE A LITTLE BIT, UH, ARE WE OK ON FILM OR?

CAMERA CREW MEMBER:

uh, yes we are. Um, we should have out—lemme just stop to change a battery here.

QUESTION 12

INTERVIEWER:

OK

FILM PRODUCTION TEAM:

[THERE'S 100 FEET REMAINING ON CAMERA ROLL 518.]

QUESTION 13

INTERVIEWER:

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

David J. Vann:

Well, I have to say that, contrary to what the public impression may have been, that while there were tensions in the meetings, uh, in the discussion patterns, that basically we were made up primarily of people from both the black and white community trying to find a solution for our city. And I would say we worked out the basic format, probably, within the first three or four meetings. Uh, After that, though, we still had the problem that by this time, the schoolchildren had entered the demonstrations. And, with the peer pressure you have among schoolchildren, if you hadn't been arrested marching with Martin Luther King, you just didn't have much standing with your friends, in your high school. And they had filled the Birmingham jail with kids, they had filled the county jail with kids. They had taken over the YMCA camp, YW— I mean, the 4-H Club camp, at the fairgrounds. The 4-H Camp at the fairgrounds had been filled with children. Uh, And by the time we got to a meeting with the senior citizens' committee, to review

where we were and where things stood, uh, the sheriff was — was — just plain told the businessmen, that, if we don't do something, I'm going to have to put a barbed wire around Legion Field, and we'll just have to incarcerate these people in an open field, and that's not going to look very good on the — national television. Uh, also, where King had very complete control of his demonstrators, he had a training program of how to do, and how to go limp, if you got arrested, and how not to strike back, and how to be completely uh, non-militant, and the youngsters weren't that well trained. And, a group of them broke out of the march one day, and ran through downtown Birmingham, it was the only time the demonstrations actually got out of that small little place over by Callihingram Park. Uh, And that was pretty frightening to some of the businessmen. They thought if that kind of thing started happening, that uh, we're going to have a lot of trouble. But King wouldn't agree to uh, the — any of the demonstrations, while he had the — all these people in jail. And by this time he had people from all over the country had come in here to get arrested with him.

FILM PRODUCTION TEAM:

[Camera roll 518 just rolled out. We will be going to Camera Roll 519. 519.]

QUESTION 14

INTERVIEWER:

I WOULD LIKE TO ASK YOU ABOUT SOMEONE, BECAUSE IT'S A NAME THAT SEEMS TO BE FAIRLY CONSPICUOUSLY MISSING IN YOUR CONVERSATION, AND THAT'S THE NAME OF FRED SHUTTLESWORTH. [cough]O.K. FRED SHUTTLESWORTH.

David J. Vann:

Well, Fred had been the head of the, I shouldn't say it that way—Well, Fred Shuttlesworth had been the principal civil rights activist leader in the City of Birmingham for a good number of years. Uh, And I think he Well, the Reverend Fred Shuttlesworth had been the principal civil rights leader here for a good number of years. And it is my understanding that he had invited Dr. King to come here. He was present at least some of our meetings, I don't recall how many, maybe all of them. But the primary actors were Andrew Young, who spoke for Dr. King, uh, Harold Long, who was — Congregational minister here who was the secretary of the meeting, uh, and while they were, perhaps, a good bit of participation, I think there really must have been some friction between the Shuttlesworth people and the King people. And I know that, uh, *after we reached a settlement, and it looks like a molehill today, to say that we're going to take down the signs, have a 60-day cooling off period and desegregate lunch counters, and begin a program of employment in downtown Birmingham, with at least three clerks hired, I think somebody in New York asked Reverend Shuttlesworth did he — why he would settle for just three clerks in downtown Birmingham, he said, I meant three in every store. And, the thing almost came unglued.*⁹ Shuttlesworth also put out pamphlets to — urging all of the children to boycott the schools, and I remember the Mayor's office called me, and I had a little office down in the old Empire Building, but Bill Hamilton, who was the Mayor's Executive Secretary, asked me to meet him at the Episcopal Church, and I went up and he had these handbills, that Reverend Shuttlesworth had put out, to start the demonstrations all over again with the schoolchildren. And, uh, I got on the phone and called Andrew Young in Atlanta, and said, Andy, they got handbills out here that we think break the agreement. And, we need to talk to you. And he got on a plane, he was — must have been here within two hours. He looked at the handbills and said, yes, this certainly violates our agreement for a 60-day cooling off period. He got on the phone to Dr. King, and by 5 o'clock Dr. King was here. And he made a speech from the balcony of the Gaston Motel, with a courtyard full of high school kids, telling them that he wanted them to go back to school, said, if we're going to have a new world, you're going to have to have an education to participate in it. And they were, sort of hesitant to agree with him, you could see that they were enjoying their truancy. But uh, he kept going after them in his great, repetitive way, until he finally said, now are you with me? And they all said yes. And he had them all standing and cheering. Uh, and really that incident gave a lot of credibility to Dr. King, that he would back up an agreement that he had agreed to.

QUESTION 15

INTERVIEWER:

WE TALKED TO ANDY YOUNG A COUPLE OF WEEKS AGO. I JUST WANT TO MENTION THIS, BECAUSE I'D LIKE TO HEAR WHAT YOU'D RESPOND TO IT. HE SAID IT GOT SO INTENSE ONE NIGHT WITH FRED SHUTTLESWORTH THAT HE SAID, FRED WAS STANDING THERE CUSSING, DAVID WAS STANDING THERE CRYING AND I DIDN'T KNOW WHAT WAS GOING TO HAPPEN. AND IT WAS SO INTENSE. DO YOU REMEMBER THAT PARTICULAR OCCASION? HE SAID HE PRACTICALLY HAD TO HOLD YOU APART, IT GOT SO BAD BETWEEN THE TWO OF YOU.

David J. Vann:

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

QUESTION 16

INTERVIEWER:

I THINK YOU'VE DESCRIBED QUITE A BIT OF THE EVENINGS SO LET'S NOT BELABOR THAT, LET ME JUST GO ON—

David J. Vann:

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

QUESTION 17

INTERVIEWER:

HANG ON, JUST A SECOND HERE... OK

David J. Vann:

I met with Dr. King in a private home, of John Drew. And we presented the settlement proposition to him. And he said that he thought — he really thought that that was a great achievement. And I remember him looking out the window and saying, I believe we'll all live to see the day when Birmingham becomes the symbol of good race — good race relations. But, he said, he couldn't agree as long as the jails were full. And, I think Robert Kennedy arranged for the auto workers' union to loan a local bonding company some \$300,000, to put up as security, but the loan came as a loan to me. And Erskine Smith, another young lawyer, and it was seven years, I think before that was ever cleared up, and I was signed on a note for \$300,000, which was put in a CD, and then the CD was used as the security, so we felt fairly safe, but the money couldn't be sent back to the auto workers until we had all these bonds cleared, and people had given fictitious names, fictitious addresses, and you know it was just a mess that almost never got cleared up, but I think finally, about seven years later, I was freed from that obligation. But after we had the chil— after we had all the people out of jail, then the question came, who's going to announce this. And I remember we were in a roomful of businessmen, I was — nobody was eager to go out and be the one who announced it publicly. And by god, Sid Smeyers says, if nobody else will do it, I'll do it. And he took it like that, you know. And we set up a system where Smeyer would have a press conference to announce the settlement, King would have a press conference, and I was in a little room in the Bankhead Hotel, and if King couldn't live with what Smeyers said, Andrew Young was to call me, and we would get a supplemental statement from Smeyers. If King said something that we absolutely couldn't live with, I was to call Andrew Young, and get a supplemental statement from King. As it turned out both men did their thing, and no supplemental statements were necessary.

QUESTION 18

INTERVIEWER:

LET'S JUMP AHEAD A FEW MONTHS. A LOT OF THINGS SEEMED

TO BE SETTLED DOWN, AND THEN ALL OF A SUDDEN THEY'D LIKE TO ASK YOU ABOUT THE DAY THE SIXTEENTH STREET CHURCH WAS BOMBED. WHAT DO YOU REMEMBER ABOUT THAT DAY?

David J. Vann:

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

QUESTION 19

INTERVIEWER:

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

David J. Vann:

Well, one of the main reasons it was a long time before he was brought to trial is the FBI was called in by the city to do the initial investigation, and there was such a degree of distrust between the Birmingham Police Department and the FBI, that the FBI and the Justice Department would never give any of the records to uh, to either the State of Alabama or the City of Birmingham. And, of course I, having been a counter-intelligence agent myself, I know the policy of protecting informants had a great deal to do with the FBI policy in those days. But it wasn't until after Jimmy Carter became President, the Attorney General of the state, Bill Baxley, and myself, put all the pressure we could on the new Attorney General and they did agree to allow a review of those records, by the state Attorney General's office, and within about six months, uh, prosecution was begun of Mr. Chambers. Unfortunately, in the meantime, the FBI at least claimed that they had lost a lot of their records, and most of the physical evidence that the FBI collected at the scene that day, was nowhere to be found. I think that if that FBI policy had been different

QUESTION 20

INTERVIEWER:

OKAY, THAT WAS A CAMERA ROLL OUT FOR CAMERA ROLL 519. WE ARE NOW GETTING READY TO START CAMERA ROLL 520. SAME INTERVIEW WITH MR. VANN. THE QUESTION WE'D LIKE TO EXPLORE A LITTLE BIT IS JUST GOING BACK TO THE DAYS OF SEGREGATION AGAIN, AND WHY WAS SEGREGATION SO HARD FOR PEOPLE TO BE WILLING TO ACCEPT—WHAT WAS GOING TO BE LOST BY IT?

David J. Vann:

Well, I guess it's human nature to have distrust or dislike people that are different from you. Tribes, in the anthropological situations, show similar things. We see similar things between religious groups, in various parts of the world. Um, But you had a society where people had grown up in it, and ever since the Supreme Court in the Plessy case, back in the beginning of the century, had put the blessings Of the Supreme Court of the United States on separate but equal. Um, you had a whole section of the country that had adopted laws, and they were adopted at the time, when I guess many people thought of black people as being as still being slaves, or their former slaves. You had people who had fought in the Civil War, and bled and died to preserve customs. Uh, You had, uh, broad accepted practices, and I think a lot of people forget, the city of Washington, D.C., the capital of this country was as segregated a city as Birmingham, Alabama, just up 'til a few years before this. And in that society, white people felt

comfortable where they were, and most black people were adjusted to it, or appeared to be, to the white people, say, oh look how happy they are, and how well, we didn't know, but, uh, I don't think it's, uh, too different from things that have happened in other cultures, and other societies. But it is very hard, I know, my children would have a hard time believing today that you could put somebody in jail for drinking at the wrong drinking fountain. But people had, at that point, been led to believe that if they drank from the same fountain, they'd get diseases. You know, and people had been instilled with uh, personal fears, you've seen some of that with the AIDS thing. People just — just — that kind of fear.

QUESTION 21

INTERVIEWER:

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

David J. Vann:

Well, for one thing I grew up in a college town, Auburn. Where you had people from all over the United States on the faculty, where you had — I'm sure I was exposed to a lot of different thoughts. We had black servants in our home. I always had, you know, great relations with them. Some of the most important in my life were Hattie and Annie, two of our servants that worked for us. Uh, I started college when I was 16 at the University of Colorado, and my brother-in-law had a black student in his organ — that he taught organ. He was the valedictorian of his class in high school, the top of his class when he graduated from the University of Colorado. And I remember my sister, we went over to their house, and had dinner one night. I'm sure I was affected by that. In college, I think I have to say, let me say this, I think there was a fairly broad movement, within the south itself, in the late thirties, forties, to correct some of the things that were wrong about segregation. Or the most obvious. As a student at the University of Alabama, in the late forties, my Methodist student group, we had bi-racial meetings every month or so. We went out to the black college there, Stillman College, Presbyterian College, and I knew black students at that college, although they didn't go to my college. And I think religious motivations, through the Methodist Church, had a lot to do with it.

QUESTION 22

INTERVIEWER:

WELL, LET ME JUST MOVE FORWARD THEN, CUZ YOU OBVIOUSLY HAD THESE DEEP FEELINGS THAT YOU WERE VERY INSTRUMENTAL IN DETERMINING WHAT YOU-

David J. Vann:

Well, also in the fifties, let me say this, when I — when I came back to Birmingham, of course I was Justice Black's law clerk, I lived with him during the time that the school — the big school decision was being reached. Never discussed it with him until after it was decided. Law clerks were afraid of a news leak, and they had asked the justices not to discuss that case with them. And no law clerk worked on it except Justice Warren's law clerk. I remember on weekends, frequently, toward the end of April, beginning of May, Warren's clerks would come out to the house on South Lee, with a brown envelope for the judge, which I would deliver to him, he would go up to his study. I never asked him what was in there. We had dinner every Sunday night, breakfast every morning, we never discussed it. In fact, the day the case came down, I drove the justice to the court, court met at noon, in those days, about five minutes to noon, I stuck my head in Justice Black's office, and said, Judge, anything I can do for you before you go on the bench? He said no, I said, well I think I'll go to lunch, if it's all right. He said that's fine. And I started down the hall. I went into Justice Jackson's law clerk's office, and I said, Barry, let's go to lunch. He said I can't, my judge is here. And I looked through the door, and I could see into Justice Jackson's chambers, and they were robing Justice Jackson, in his chambers. Well, Justice Jackson had a heart attack, I knew he had been in the hospital. And I said, they wouldn't bring him from the hospital, robe him in his chambers, unless something very important was about to happen, and they wanted all nine justices on the bench. So I rushed downstairs, and said to the other law clerks, in the law clerk's dining room, let's go up, they're fixing to hand down the school case. How do you know? I said

Justice Jackson's here. And I can't think of any other reason—I said, Justice Jackson's here, and I can't think of any other reason they would bring him from the hospital to the court. And some of the clerks said no, my judge would have told me. Mrs. Reid's not here, nothing important ever happens unless Mrs. Reid's here. And so I think only six of us went upstairs, and heard the Chief Justice, I have the Court's opinion today in cases 1, 3, 4, 5 and 7. And he began reading Brown against The Board of Education. I later talked to Justice Black, and I think he really thought that it would take this country at least twenty years before you really had an acceptance of the concepts that were imbedded in that opinion. Course he had grown up in the south. He had black servants, he had black people that were part of his life, right up to the day of his death, on a family basis, not inconsistent with old southern practices, although he treated them very differently. I'm sure all these things come into it.

QUESTION 23

INTERVIEWER:

WELL SINCE YOU DID ALL THESE THINGS WHEN UM, YOU CHANGED THE GOVERNMENT AROUND, NEW MAYOR IN AND SUDDENLY KING COMES IN AND STAGES HIS DEMONSTRATIONS

David J. Vann:

I was upset with him.

QUESTION 24

INTERVIEWER:

UH, YEAH, YOU— BECAUSE IT MADE IT LOOK LIKE ALL OF BIRMINGHAM WAS A BUNCH OF RACISTS. YOU MUST HAVE TAKEN THAT AS A PERSONAL OFFENSE PRACTICALLY

FILM PRODUCTION TEAM:

[Ok. I'm changing to 1510. My next sound roll will be 1510. Camera Roll – Camera Roll will be 100 feet of 520.

FILM PRODUCTION TEAM:

Blackside

FILM PRODUCTION TEAM:

Eyes on the Prize

FILM PRODUCTION TEAM:

Birmingham Alabama.

FILM PRODUCTION TEAM:

1 November, 1985.

FILM PRODUCTION TEAM:

Continuation of interview with Mr. David Vann.

FILM PRODUCTION TEAM:

Sound number 1510. Camera Roll 520. 100 feet in.

FILM PRODUCTION TEAM:

Reference tone now

FILM PRODUCTION TEAM:

100 feet remaining on Camera Roll 520. 100 feet remaining.]

QUESTION 25

INTERVIEWER:

OKAY, IT JUST SEEMED TO BE VERY NATURAL THAT YOU

WOULD HAVE BEEN VERY UPSET WITH KING BECAUSE HE REALLY DID MAKE BIRMINGHAM LOOK VERY BAD AND YOU WERE CERTAINLY NOT BAD.

David J. Vann:

Well, I want to make it clear. I wasn't mad at Dr. King because he made Birmingham look bad. *I was upset with Dr. King because he wouldn't give us a chance to prove what we could do through the political processes. And a year and a day after Conner had been elected with the largest vote in history, we, a majority of the people in this city voted to terminate his office. And when he ran for mayor they rejected him.*¹⁰ And we felt that our next step, we had met with black leaders. Mayor Boutwell had made very definite commitments on hiring some black police officers. Participation in government by the black community. Uh, and we really felt it was most unfair not to let us prove what we could do with the political process. I became philosophical about it later and realized that King's campaign wasn't a campaign against Birmingham. It was a campaign not even against the South. It was a campaign against America. Because what was done by law in Alabama was done de facto in New York, and Chicago and Detroit and San Francisco and throughout this country. In fact I think the experience we had in resolving these problems in beginning a process of local resolve created a bond between white people and black people in this city, unlike any other city in the country. When Dr. King was assassinated, all across this country, starting in Washington all the way to Watts, cities burned. People were so angry they burned cities down. In Birmingham we had a memorial march the next morning from the 16th Street Baptist Church to the steps of the Jefferson county court house, with white Bishops and black Bishops and leaders of the government, marching together in commemoration of the loss of a man who had been very important in the history of our city. Attitudes that really changed dramatically, and I think the fact that there was virtually no violence in this city in the reflection of the assassination and particularly when the word came out later that the gun might have even been secured right here in Birmingham that assassinated him. Uh, I think those reactions, really, uh, demonstrated the tremendous depth of effort that had gone throughout this community.

FILM PRODUCTION TEAM:

[Okay. 520 just ran out. We're going to Camera Roll 521. I'm sorry we're not going to Camera Roll 521 right now because it's a wrap on Mr. Vann. I will give room tone shortly. Room tone starting now... End of room tone]



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