

**RBRL OHD 002**

**The Oral History Documentary Series**

**A Life of Public Service: A Conversation with Judge Griffin B. Bell, former U. S. Attorney General, 1962 - 1976**

Griffin B. Bell Interviewed by Bill Shipp

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SHIPP: We're pleased and honored to talk this morning with Judge Griffin B. Bell who's public and private career spans more than a half century and who has seen and participated in more Georgia history than anyone I can think of. A native of Americus, he recently retired from the prestigious King and Spalding law firm where he handled numerous internationally important cases. He has served as a United States appellate judge, attorney general of the United States, and advisor to both democratic and republican presidents not to mention to several Georgia governors. In my judgment, he ranks high among the most influential Georgians of the twentieth century. Almost from the beginning of his career he was recognized as a skilled political operative. Judge, we won't start from the very beginning just yet, but let's go back to 1959 when you were chief of staff to Governor Ernie Vandiver. Those are very tense times and Georgia was at a crossroads. Let's talk about that time and your role in what happened.

BELL: Well, Ernie was elected and he had promised that there'd be no school integration. After he was elected but before he took office the Supreme Court handed down the second Little Rock case in which it said among other things that even violence was not an excuse not to integrate the schools. It became clear then to several of us that he couldn't carry out his pledge, that there would be no integration. So, he appointed me his chairman of a lawyer committee of five lawyers including me to see what they were doing in the other southeastern states. We

went to several other states, talked with the governors and attorney generals. I came back and reported to him that they—none of them had any better plan than we had, which is none. No one had the answer. You either had to follow the Supreme Court decision or we'd have chaos. Many people wanted to close the schools, said, "Just go out of the education business." But that it was some thought that you could do that. Just a short time after that the Supreme Court held on a case in Virginia that had to open the schools. They had closed the schools. So that would not have worked but we didn't know that at the time. So there was a good deal of agitation in places like Atlanta where they wanted to save the public schools—had something called "Save the Public Schools" even though they were going to integrate. And state law prohibited that.

SHIPP: And Vandiver was stuck with a "No, not one" promise, right?

BELL: Not only a promise but during the Marvin Griffin administration we had passed all these laws including a new flag to keep down any kind of integration so schools could not integrate they would—it's against the state law. So we came to the conclusion that we either had to keep the schools open or close them, at the time we thought we could. So I suggested to the governor that we appoint a commission to have hearings, public hearings and let the people speak to see what the people wanted to do. So we thought of something called A Sibley Commission which has a story in itself. Mr. John Sibley was chosen by Governor Vandiver to be the Chairman. I drew it up and he said he'd agree to it if he could get the right chairman. And I said, "Who do you want?" And he said, "John Sibley." So I spoke with Mr. Sibley and he said he wanted to talk to the governor, he wanted to be sure this was not a sham or some sort, that it was genuine effort to solve a problem. So he and Ernie met and Ernie reassured him and so he agreed to be

the chairman and the members of the commission were picked by heads of organizations all over the state, like Farm Bureau and some from the Senate, some from the House. We didn't have an organization for Mr. Sibley but we found out he was President of the University of Georgia Alumni society so we put that in his resolution.

SHIPP: [Laughter] To qualify him.

BELL: To qualify him. And he became the chairman and they had ten hearings, ten congressional districts and ten hearings. They were very tumultuous; some more so than others. But people spoke, it was an amazing thing in a democracy why people get stirred up they'll speak. And they were speaking both ways. And it became clear then we had to do something and we had to get rid of the laws and let the local control take over. And so Ernie, the governor, decided that he would have a special session of the legislature and he addressed the legislature at night, the first night and told them we had to repeal all these laws that had just been passed a few years earlier and let people do whatever they wanted to do on a local level. And that's what happened. We appealed all the laws. It was an amazing defeat actually that—change public opinion that fast.

SHIPP: Wasn't there a fire storm in controversy that Vandiver betrayed what he said he would do...?

BELL: Oh yeah, about like the flag fight?

SHIPP: Right.

BELL: In recent days. But he just had to do that. It came to a head with Judge Bootle ordered the University of Georgia integrated, that's what broke the dam. And Vandiver either had to close the University of Georgia or let the two students in. That's when he had the famous meeting at the mansion.

SHIPP: Tell us about that.

BELL: Well, he called—in the old governor's mansion—he called all the leaders, all his supporters, Mr. Jim Gillis, Dixon Knox who's from the Highway Department, the speaker of the house, the floor leader and president of the Senate, he had them all there. I think it was twenty three people; I was there just as his Chief of Staff. So I witnessed this. And he told a group that he came to tell them that he was not going to—he couldn't bring himself to close the University of Georgia. And he said, "I have to carry out the court order and I know you're disappointed in me and I called the meeting to tell you all goodbye. I know you want to resign." And he told Mr. Gillis, starting with Mr. Gillis and thanked him for all he'd done for him, helped him get elected, told him he'd miss him and he kept going down the line. Finally he hit Frank Twitty. And Twitty says, "Governor, don't tell me goodbye. I'm not going anywhere." Then the next one was Carl Sanders and he said the same thing. Before it was over no one left.

SHIPP: Including Gillis?

BELL: Not one left. It was an amazing feat.

SHIPP: Let me add an editorial comment here Judge. I think you are more responsible than anyone for making, pulling Georgia ahead of Alabama and Mississippi by seeing that Sibley Commission got off the ground and saved the public schools.

BELL: That and the University of Georgia.

SHIPP: And the University of Georgia. We did not have chaos.

BELL: That's right. Those two things changed the course of history in Georgia and got us ahead of the rest of the Southeast.

SHIPP: And I think you deserve much credit for that. Let's move up to 1960 and you were co-chair of the Kennedy Campaign in Georgia and I believe that was a high water mark for the Democratic Party in this state. Tell everybody that and then your chair, the other co-chair was Taxi Smith, right?

BELL: No, it was George L. Smith, speaker of the House.

SHIPP: George L. Smith, right.

BELL: Well, George L. was, you know, George L. left the campaign after Governor Vandiver was able to get Martin Luther King out of jail. At that point, that was a very unpopular thing for Vandiver to do.

SHIPP: Okay, we need to put that in kind of context. At one point King was leading demonstrations—tell about that episode,

BELL: Well, King had become a Civil Rights leader of the highest order. And he had some traffic charges in DeKalb County -- he'd been probated -- so he was arrested for violating his probation and the judge sent him to Reidsville, didn't leave him in the DeKalb County Jail.

SHIPP: Judge Oscar Mitchell, wasn't it?

BELL: Yeah, sent him to Reidsville. So President Kennedy called Governor Vandiver and asked him—suggested to him that maybe he could get him out of jail. And so Governor Vandiver arranged that and had him released. He had to—the condition to getting him out was that Judge Mitchell said the President had to call him, ask him. Well Bobby Kennedy called him, actually and got the job done. Got Dr. King released. But this was not well received in Georgia amongst a lot of people and George L. thought he might lose his seat in the legislature so he returned to Swainsboro.

SHIPP: And left you holding the Kennedy bag, right? [Shipp chuckles]

BELL: Right. Left me with it.

SHIPP: How did you manage, as I recall, Kennedy swept Georgia by a huge margin.

BELL: Well, we had it organized. We got—all our congressmen were democrats. Both senators were democrats so I was able to get their list of key supporters, from every one of them. And so we organized every county, every town of any size. We had committees. And Georgia never been organized like that before or since I don't believe.

SHIPP: But he was a catholic from New England who didn't have a great deal in common with the average.

BELL: No, but we had the whole—at that time the Democratic Party in Georgia was strong. And if you got all these key people you could carry anything. And that's what happened. And we carried Georgia by the greatest majority of any state in the nation for candidate. It was really an—other thing that happened that was I think had a lot to do with it, we had this—Nixon came to Atlanta and had a huge crowd. We were worried that we couldn't get that many people to the Kennedy rally so we decided to have it at Warm Springs. And the Governor had a speech writer named Ed Lynn Bridges who was—lived during Roosevelt's time. He wrote a speech that sounded exactly like Roosevelt for Vandiver to deliver and he delivered it when he introduced Kennedy. And they let all the schools turn out in that area of Georgia so wherever the motorcade went there were school children. And there's a huge crowd of people there and it was like Roosevelt running again, and that turned it right there.

SHIPP: Was Nixon being totally rejected and the people that swept -- went for Kennedy?

BELL: Yeah. But if we'd had to rally in Atlanta we couldn't be certain we'd have a big crowd like that. And we never could have got another [unintelligible] of Roosevelt.

SHIPP: I'm right. That was a high watermark for the Democrats up until Carter ran the first time.

BELL: Oh, no question about it. I think the majority then was a larger than the Carter election even. I'm not certain of that but it was a high watermark.

SHIPP: Well, partly...

BELL: We had ten Georgia congressmen and two Senators, all Democratic Party.

SHIPP: Partly as a reward for that and partly because of your great legal talents you went to the 5<sup>th</sup> Circuit Court of Appeals which turn out to be another battle ground of integration and...

BELL: Well, I'd got with it being a battle ground. [Laughter]

SHIPP: How about the...



BELL: While I was on the court about a week before President Kennedy was assassinated Bobby Kennedy came through Atlanta and I went to lunch with him at the Capital City Club and President Kennedy called at me. He went outside to take the call out in the hall, came back and said President wants to speak to you. So I went out there and he said, “Are you bored with your new job?” I said, “No, I couldn’t stand any more excitement than we’re having.” He said, “Well, if you get bored get in touch with me I’ll get you another job.”

SHIPP: But talk about some of the cases. Didn’t you hand down the opinion on the United States or the order United States v. Ross Barnett in the Meredith...?

BELL: I did. Also I had to—I wrote the opinion in the county unit decision.

SHIPP: Oh, the county unit system—handed down in 1962. A lot of our viewers may not know how what a significant—that changed everything in Georgia politics.

BELL: It changed politics, right.

SHIPP: Describe that for us and what the significance of that.

BELL: There’d been many cases attacking the Georgia county unit system which was totally unfair. Had units for all the unpopular vote and the largest county, Fulton, got six units and the smallest county, Echols, got two. That gives you an idea how unfair it was. It was patterned after the Electoral College but it was not geared to population.

SHIPP: [Laughter] One small difference.

BELL: One small difference. So, there had been many suits before attacking the county unit system but the Supreme Court had always held that it was a political question over which the federal courts had no jurisdiction. In 1962 they handed down a case called Baker v. Carr in which they said the courts had jurisdiction. So somebody made it a file or a suit attacking the county unit system. That meant that we could decide the case; the court had jurisdiction. It had to be decided. Well it was a slam dunk when you think about how unfair it was. It had to be adjusted to the population. And we said they could have something commensurate with the Electoral College but it had to be geared to the population. And the Supreme Court even knocked that out, they said you couldn't expand it Electoral College to the states. That that was peculiar to the federal system and said you just had to have one person one vote, that's when the one person, one vote started.

SHIPP: So the legislature did try to adjust the county unit system.

BELL: Yep. They never...

SHIPP: And was not able to do it?

BELL: Well, they didn't get around to it because it took an appeal of our decision and they were waiting and when the Supreme Court final decision had to be one person one vote they had

to do away with it. They had a popular election and that was when I think got Callaway-Maddox time was...

SHIPP: But that ended the rural domination of the State House in Georgia?

BELL: It did, yeah. Right.

SHIPP: Was that a good thing?

BELL: I think it was. I think it, you can't ever argue against fairness. It was unfair. Now, we turned the election—we turned the apparatus, the political apparatus over to people who were not experienced. That was not a good thing. You have to learn about politics and how to manage power. And we—I'm not certain we've learned it yet but we're struggling, we're working on it.

SHIPP: But you have some other tough decisions, what with Heinz County big school desegregation thing?

BELL: Yeah.

SHIPP: And then we got into busing. Talk a little about that.

BELL: I had more school cases than any judge, I think's ever had. I had 140 separate school districts and Judge Tuttle would send me to these hard cases like Augusta where they hang the District Judge in effigy and he recused himself and wouldn't go back over there. Judge Tuttle said for some reason people don't get as mad with you as they do with the rest of us. So, I'd get more cases than my share. And, but I never entered a busing order. I was totally opposed to busing to get a racial balance because I thought it was a disadvantage to the children. I thought children ought to have a guardian ad litem against the courts. Because it was almost like punishment, make them get up early in the morning, haul them off somewhere.

SHIPP: But now some of your colleagues on the 5<sup>th</sup> District did have...

BELL: Oh, yeah. We had some buses...

SHIPP: Up in Charlotte, wasn't there a big bussing decision?

BELL: Well, the bussed to get a racial balance in Charlotte. And the Supreme Court upheld that. And then at that time it was thought that the 5<sup>th</sup> Circuit judges would have to do the same thing. And they did to some extent. But by that time I left the bench.

SHIPP: And you...

BELL: I never entered a bussing order.

SHIPP: You resigned and you went back to King and Spalding, but during your time on the—the fourteen years and later you were on the short list for the Supreme Court under Kennedy, Nixon, Carter, and Reagan. Do you have any regrets you didn't go to the Supreme's Judge?

BELL: None. None. And when Carter was there I never thought about going because I would have had to give him the recommendation for people to go on the court and people joked me about that and said you were supposed to get him on Attorney General and he ended up with the job. But, I had a list of people that I would have recommended to President Carter if he had a vacancy.

SHIPP: Well you did...



BELL: I wouldn't recommend myself.

SHIPP: Well you did select 150 new judges under Carter and up until that time more Hispanics and more blacks than ever before.

BELL: And more women.

SHIPP: And more women.

BELL: Yeah. Well that was President Carter wanted to get that done and I was able to get it done.

SHIPP: But that was not a completely happy marriage in the Carter Administration.

BELL: No, but it took a lot of trade wood Senators too, to get some of those judges through.

SHIPP: You resigned in 1979 and then...

BELL: '76. '79 I left the Justice Department.

SHIPP: And came back to King and Spalding again.

BELL: Right.

SHIPP: And then you started handling some famous, very famous, legal cases. E.F. Hutton was one, the—

BELL: Exxon Valdez.

SHIPP: Exxon Valdez. The DOW Corning.

BELL: Yeah.

SHIPP: Tell us about the E.F Hutton decision. That was the case.

BELL: Well, there's a formal kiting. Some of the branches were kiting up on banks and a postal inspector in Harrisburg, Pennsylvania found—started the case. And Hutton eventually pleaded guilty, they had New York lawyers and they plead guilty to 2,000 felony counts, all having to do with the kiting. And at the time it looked like Hutton was on the rocks and they thought they ought to have an investigation by somebody to find out exactly what did happen so they could have a public showing of what happened and how they had cured it. So I was employed to do the investigation. It was one of the first big corporate investigations. It led us, in the law firm, to form a new section of the law firm called "Special Matters" that we still have that and it's, as you know, a private business. There's all sorts of corporate investigations going on in the country.

SHIPP: All patterned after that E.F. Hutton investigation, right?

BELL: Yeah. Yeah.

SHIPP: You came out with a finding, almost like a court, right?

BELL: I did, yeah. And had a press conference and announced—they asked me to make it public, have a press conference. Some of them didn't want to have any, publicity to what you find but most of them they will, they don't mind it. Dow Corning was one. Exxon Valdez was a big one.

SHIPP: So, Exxon Valdez, there is still a ripple effect from that case going on.

BELL: There're still arguing about the punitive damages verdict. That's still going on.

SHIPP: And you were representing Exxon and...

BELL: I was representing to do the investigation, not in the litigation, subsequent litigation.

My role was to find out what happened. And they had 14 shareholder suits pending against them and based on my investigation all of them were dismissed. So that part of it, that phase of it ended.

SHIPP: Tolliver County, tell us about what happened there.

BELL: Tolliver County was a small rural county near Augusta and it was a set up there. The Vice President of the Confederacy, Stevens home...

SHIPP: Little Alex.

BELL: Yeah, Liberty Hall is in the capital of the ... I mean the county seat. And they had a swimming pool, there was a state park. Liberty Hall is in a state park. So the blacks wanted to use the swimming pool and they did. They gathered and had a march and used the swimming pool and this started—I was not present of course when this happened. I was down in Jacksonville holding court—I'll get to that in a minute. But this led to the school—they found



out while they were there that they had been busing all of the white children over into the other adjoining counties and just left the public school black. So among other things Dr. King went over and he was, at one point, on the ground under a school bus so they couldn't move it. And they organized a move to get all the school children between Augusta and Atlanta to march on the capital. Judge Morgan and I were sitting on the bench in Jacksonville along with some other judge and Governor Sanders called me down there and said that they had a bad problem in Atlanta. He said the school children are about to march on the capital and there'd be thousands of people marching and he said, "Arthur Bolden's here in my office and he tells me that there's a 3-judge district court case pending in Augusta arriving out of this controversy in Toller County." I said, "I don't know anything about that." He said, "Well you're the chairman of the court." I said, "Well, the papers haven't reached me." He said, "Well, we'd like to get an injunction against the march." I said, "Governor, anything you want you'll have to file a motion." He said, "Oh, we don't want to file a motion." I said, "Well, you can't get any relief of that kind unless you file a motion." So that was the end of the thing. Well that day or the next day we got the papers on that case. And Judge Morgan and I both were assigned to Augusta. And they said they had an emergency because they'd put this twelve year old boy in jail for disturbing a worship and it moved him to Wilkes County for safe keeping. He's twelve years old. So the other Judge was Judge Scarlett, who was notoriously conservative as you remember. So, I called Judge Scarlett and said, "Do you know the Sheriff of Wilkes County?" He said he did. I said, "Well, call him and tell him to transfer this prisoner back over there to Toller County. He's twelve years old, so he can get out on bond." Well he said, "I couldn't do that." I said, "Well then, meet us in Augusta in the morning." He said, "I can't do that either." I said, "Well, do one or the other. You either got to come to Augusta or you got to get

him out of jail.” So he got him out. And we got over to Augusta about a week or ten days later and started this hearing and the courthouse was full of people and they brought the twelve year old over and the sheriff and we started the hearing and it turned out to be a hearing about the schools. A real complaint was hauling these white children out of the county and leaving the schools black. So they had Charlie Block and Roy Harris and other—I’ve forgotten the other lawyers. But they all are great constitutional lawyers. And the case went on for about a week. Hollowell was there and Howard Moore.

SHIPP: Who were black attorneys for the Civil Rights Movement?

BELL: Yeah, right. The national press was there. Just scores of reporters, Reggie Murphy was a political reporter for the Constitution and he was there. And it finally dawned on me on what was going on. This was a setup where they were going to force us to put Mrs. Williams in jail. She was a school superintendent, a nice looking woman who was Judge Osgood Williams’s sister-in-law here who was a judge in Atlanta. Her husband ran a drug store in this county. And so that was the plan. They were going to—we’re going to order the children back, say they had to go to their own school and couldn’t go to the next county. She was going to refuse that and then we’d have to put her in jail. And this was like a trap. So I sensed that and I during the night I woke up thinking what are we going to do here about this--have to do something. So I came up with the idea of putting the school board in the—the school system in receivership, making the state school superintendent the receiver. I asked Judge Morgan... Judge Morgan and--Judge Carlton never did want to meet with Judge Morgan because he said he was a Disciple of Judge Tuttle who was another federal judge.

SHIPP: Was that a way to say he was too liberal?

BELL: Yeah. Meet with them separately. So Judge Morgan agreed to it and then I talked to Judge Scarlett and he said, "I said I didn't want to put her in jail. And so I don't agree to it." So we entered an order, turned the school system over to the state school superintendent. Next morning in Savannah Morning News had an editorial in which they said that we were dictators. Judge Scarlett called me and said he wanted to get off the order. I said, "It's too late. The order's been published and you can't get off after it's been published." So, that's the way they thing ended. And the state school superintendent took over and solved it. Now, never again was a school system put in receivership. But I'll bet you fifty times it was threatened.

SHIPP: But that set the precedent and they knew what would happen.

BELL: Yeah, they knew it could be done. When he got us out of there—later on Roy Harris, I saw Roy Harris at a meeting of the bar association and Roy said, "Who's bright idea was it to put the school board in receivership?" I said, "Well, I had something to do with it." He said, "I knew that. I knew you were going to figure that out."

SHIPP: Now Roy Harris had been former Speaker of the House and was a big political king maker in the state and was one of the founders of the White Citizens Council.

BELL: Right. Anyway, that was—and the whole thing finally wound down and ended in a-- I don't know what's ever become of the school system but the county's ninety-five percent black.

SHIPP: Crawfordville, the county seat.

BELL: The most humorous thing that happened in the trial was they brought an elderly colored man, a witness for some reason, and I asked him if he saw anyone disturbing the worship. Said he didn't. I said, "Did you see any worship?" He said, "I never did." He said, "There was a man there reading the bible." Said, "He was a sign painter and he was standing out in the park reading the bible and that's the only religious thing I saw happening." I said, "Is he in the courtroom? That man?" He said, "He's back there on the back row." I said, "Which one is he?" Said, "The one with the shades on." [Shipp chuckles] Fellow had dark glasses on sitting back there. That was a worship for which they had put the twelve year old boy in jail and sent him to the next county for safe keeping.

SHIPP: Did you ever meet with Dr. King?

BELL: I never did.

SHIPP: You've never met Dr. King? You met with Hollowell and his attorneys?

BELL: I just met with the lawyers, C. B. King from Albany was another one that was always coming to the office with some kind of paper.

SHIPP: Who later ran for governor.

BELL: Yeah.

SHIPP: In 1970...

BELL: And Drew Days, that I appointed head of Civil Rights division at the Department of Justice was with the Ink Fund and he had more school cases than any lawyer in all the cases I had which is about 140.

SHIPP: And the Ink Fund was the NAACP's legal defense fund, right?

BELL: He was a fine young lawyer. And I settled a lot of cases between the school board lawyers and Drew. So I picked him out to run the Civil Rights Division and did a great job. He's teaching at Yale Law School now.

SHIPP: Judge, we spoke earlier about Charlie Block who was a notable constitutional lawyer from Macon and also represented I think Southern Railroad. Tell us a little bit about Mr. Block and your relationship with him and [unintelligible].

BELL: Well, he's a much older person than me, at the time, but he was a very respected lawyer that had a long distinguished career and he'd gotten off representing the governor in some of

these—Governor Griffin and Governor Talmadge, was a big Talmadge supporter. And he became what we called a constitutional lawyer on the integration matters. And he was a great states writer and he thought that the states had retained more power than it turns out they had. And that was his philosophy. And he was also the General State Council for the Southern Railroad. And he had a wide litigation practice on that account; Southern Railroad did a lot of litigating in those days. So he was in the Tolliver County case, he's in many cases but I haven't—I was a judge in that case. And—along with Roy Harris and some other lawyers that I told you earlier. He also once came to see me to complain about Judge Morgan, a federal district judge and one of my colleagues. He said Judge Morgan had made the statement that, “Southern Railroad ought to pay more than their share of the taxes because they were using up more than their share of the courts with their litigation stance.” And I told him I was glad to talk with him but I hated to disappoint him but I agreed with Judge Morgan. I thought maybe they should.

SHIPP: Because at that time Southern Railroad didn't settle any case.

BELL: They never did settle any case and wanted to put everything in the court. That was just a light moment. But he was quite serious about his complaint, but I made a light moment out of it.

SHIPP: How about telling us about the controversy of the confirmation of Judge Alex Lawrence and the estrangement that occurred, apparently, between Senator Russell and President Johnson.

BELL: Judge Lawrence was probably among the top ten lawyers in Georgia. And he was nominated by Senator Russell to be a district judge—he was recommended as a [unintelligible] for nomination to be a district judge in Southern district of Georgia, Savannah. And Ramsey Clark was opposed to him...

SHIPP: Who was the attorney general?

BELL: He was attorney general. He was opposed to him on account of a speech he made shortly after the Brown decision, many years before to the Daughters of the American Revolution in which he as speaking of the Brown decision said, "Tyranny now comes—wears black robes." And Russell was pushing the nomination and went to see Johnson and finally, about it, and finally President Johnson overruled Ramsey and appointed Judge Lawrence. But the American Bar had turned him down. He was one of the best qualified judges there's ever been but the American Barr somehow noticed, committee they had, found him unqualified. So, the American Bar was asked to reinvestigate him and the lawyer from Chicago that they appointed somehow or another mysteriously came to my office at the court house and asked me if I knew Judge Lawrence and so forth and asked me to tell him—give him some names of people to talk to about Judge Lawrence. I said, "Well, then tell me who was interviewed the last time by the ABA." And he did. So I gave him some more names. And at that time he got well qualified.

SHIPP: Had the right names that time.

BELL: Yeah, but anyway, that just caused an estrangement between Russell and Johnson. There's been a book written about it and Russell was embarrassed by the way he was treated and told Johnson so and said he'd embarrassed him before the people of Georgia. So when the Abe Fortas Department Chief Justice came up Russell blocked it. And I was talking to Senator Eastland who's chairman of the Judicial Committee and he said that Johnson called him to eat breakfast at the White House and told him that he'd talked with everybody and said everything's all set and I'm going to make Porter chief justice. Eastland said he talked to Dick Russell. He said, "Oh yeah, there's no problem with him." He said, "There was this morning before I—saw him later this morning and he was very much against him." And it was all tied to this event of blocking Judge Lawrence.

SHIPP: And he did in fact block him?

BELL: He did block him, yeah. Fortas didn't get to be the chief justice and that knocked out Homer Thornberry who was judge on the 5<sup>th</sup> Circuit from Texas who was one of Johnson's little friends. He was going to take Fortas's place. So he didn't get on the Supreme Court. All this happened, and to confirm that, Gene Patterson who used to be editor of the Constitution went to the Washington Post as one of the editors. He told me that after Johnson got out of office he had a meeting with the editors. Happened to be in Washington, and he told them one of the most disappointing things happened to him because of one obscure federal district judge appointment and he recited all of this to the editors. And that's the end of the story but that's a historic event in the way the nomination and confirmation process operates.



SHIPP: Well, you ought to know something about that. When you came up for Attorney General you were not exactly treated with kid gloves before the judiciary committee. Talk a little bit about that confirmation process.

BELL: That was one of the most disappointing things I've ever had to endure and I never—I've always said I'd never stand for confirmation in any other office. The Senate has no due process. And they just grill you and grill you. Grilled me for two weeks. At the end of the first week Senator Byrd called me to his office and told me he wanted me to get rid of—to save the FBI job, keep the man in there who had it. I said, "President's already told me to replace that man." He said, "Well, I'm telling you don't replace him." I said, "I have to do what the President says." He said, "Well, I'll tell you what I'm going to extend your hearing for another week and everybody in the country will come out of the woodwork and testify against you." I said, "Well, you do what you have to do because I'm going to do what I have to do." And that's what he did.

SHIPP: And in fact a large number of people did testify.

BELL: Right. Including Julian Bond and a number of people they found here in Atlanta. And they—after one day of that I asked Senator Eastland who was Chairman if I could be excused so I left and I didn't stay in the Senate the last four days. I didn't want to sit there and have these people—I went back then to see if they had any questions they wanted to ask me.

SHIPP: We spoke earlier about you being on the short list for the Supreme Court several times. Do you think you would have had to endure that same kind of grilling?

BELL: Oh, absolutely. That was—until the Boyt and Thomas hearings I think mine was one of the worst.

SHIPP: And you were not represented by counsel?

BELL: I didn't have any lawyer. I just sat there by myself. I didn't have any dolts and didn't have anyone sitting with me.

SHIPP: And you had no security.

BELL: No security.

SHIPP: Tell me why you had no security, not much while you were Attorney General, tell me why you...

BELL: I had a car, and I had a driver. And that's all. And somebody asked me why I didn't want security and I said, "Well, I've been a federal judge in the south and I've spent many hearing days in Mississippi and Alabama and places like that. Nobody's ever bothered me yet so I don't believe I'm going to be bothered in Washington." And so I never did have any security.

SHIPP: It's my understanding, you tell me whether I'm accurate or not, but the entire Georgia delegation with one exception, supported you for Attorney General...

BELL: Right...

SHIPP: And Congressman Carl Vinson had some reluctance?

BELL: He had his own candidate. And he was holding out. I think it was first—the senators recommended three of us and they told me that they told Bobby Kennedy, the Attorney General, to take their recommendation in alphabetical order but they were for the first name, that's me. So nine members of the House were asked by the Justice Department which one they favored and nine of them voted for me. Senator Vinson, Congressman Vinson voted for another man from Macon and it looked like he was going to block me after he didn't get it. He got upset about it, apparently. So Mr. John Sibley came into my office at the law firm said, "I'm going to ride the train. I'm going to get the train, go up there and talk to Carl Vinson about this." And he said, "He shouldn't be holding you up." They were friends from Milledgeville. Mr. Sibley moved to Atlanta from Milledgeville. And he came back and said he's going to withdraw his objection, he's going to support you too. So I finally ended up—but ordinarily you don't ask House members. This is unprecedented at the time.

SHIPP: But Vinson had been there so long that he was the Dean of Washington.

BELL: And President Kennedy's been on his committee when he was in the congress, in the House. And he was a father-figure to a lot of these people. He's a man of great influence. And he probably, if he hadn't withdrawn his objection I probably wouldn't have gotten that appointment.

SHIPP: Moving back again, tell me a little bit about your association with Frank Myers in your native Americus when you...

BELL: Frank is a lawyer in Americus; he's retired now. We grew up together. He was a Navy pilot during World War II and when we got back a lot of us decided we'd go to law school. And I was going to Georgia, he went to Georgia, and I was on the way to Georgia and on the way there—I had planned to go to Mercer before the war. I stopped in Macon to see if and ask the Dean if he could get me a job in a law firm while I was going to school. And he said if I made good grades the first quarter he'd guarantee me a job. At the time I didn't realize how many ... they hadn't reduced any lawyers during World War II so everybody needed a lawyer but I didn't know that. And he got me a job; he was true to his word. Frank went on to Georgia and we kept up with each other and then at one point we decided we'd open a law office together in Americus. And Frank is a person I admire greatly because when he opened his office he said that, "I'm going to never turn anybody down who needed representation." And he took some of the worst cases and he's almost like the lawyer in *To Kill a Mockingbird*. I mean, he took cases that you can't imagine what some of them were like, you know, representing a black who was accused of raping a deputy sheriff's daughter and he got an acquittal. That kind of a case.

SHIPP: In South Georgia?

BELL: Yeah. He just had a successful life and his health finally failed and so he'd been up to Duke two or three times and they told him he had to retire so he retired. But he was—he defended [unintelligible], some of the people out there. He'd take on popular causes. Not too many lawyers in small towns want to do things like that.

SHIPP: Going back to the early part of your...

BELL: You have to admire—I really admire lawyers who do things like that, who will take on popular causes. Mr. Hughes Spalding would do the same thing in Atlanta. He took the case of Dr. Clements when he was elected to the school board and the city Democratic Committee claimed he was a communist.

SHIPP: I remember that.

BELL: Yeah. Judge Walden, Colonel Walden came up there to see Mr. Spalding said, "I need you to help me." He took the case. He'd do things like that. He thought it was part of a lawyer's duty and Frank Myers is a lawyer that cut.

SHIPP: When you went to Mercer you went four quarters passed the Bar and started practicing, is that correct?

BELL: Yeah. Well I also continue to go to school.

SHIPP: And you were with the City Attorney at Warner Robbins at the same time?

BELL: I was but I had to get me a degree.

SHIPP: Fast forward again to the time you were Attorney General with Carter. During that three of three and a half years you served in that administration. What was the most difficult thing you faced during that time?

BELL: I really never had a case that I thought was all that difficult. I guess it's because I'd had all these hard cases as a Federal Judge. By comparison, I never ran across anything quite—that was any tougher than what I'd already been used to. But I found the morale of the department was so low. It was shortly after Watergate and I perceived that my highest and best use would be to restore the morale of the department. So I spent a lot of time doing that. I created a special office for improvements in the administration of justice. Brought some professors in to work on that and we were able to get a lot of things done that couldn't do. The courts can't lobby. The Congress frowns very much on a judge lobbying. And so alot of the things that we did in that office the Supreme Court would ask us to do, or the Judicial Council of the United States -- or conference, judicial conference of the United Staes which is headed by the cheif justice and some lower court judges.

BELL: ...and some lower court judges. And we reformed the bankruptcy laws and we created a magistrate and made that into a more meaningful office. Created a court in Washington, special court of appeals that handles patent cases. Did a lot of things like that. And then I was able to get a recruit, Judge William Webster to run to the FBI, got the FBI in good shape. Changed the mission of the FBI, stop chasing car thieves and bank robbers and started getting into more sophisticated things. And it just a period of time where things needed change and we were able to make changes and restore the morale; morale went way up.

SHIPP: In 1980 you led the American Delegation to the Conference on Security and Cooperation in Europe and you served as co-chairman of the Attorney General's national task force on violent crime?

BELL: Right.

SHIPP: At that time did you have any idea that we would be facing the kind of international terrorism that we face now? What were the matters that you dealt with mostly?

BELL: No, never could—we had all these, we had thirty-four nations represented at this conference in Madrid. And nobody thought anything about any terrorism. And we had spirited debates and I had to make a speech against Soviet Union, course that was what's going on those days. They made one against us. Every head of delegation made a speech. In fact, one of my most humorous stories that happened happened at that meeting. The—we had simultaneous translation. The head of the British Delegation told me he couldn't understand a thing I was

saying on account of my accent. So he switched to the French channel and had no problem after that [BOTH laugh]. But terrorism was not mentioned. We couldn't start the meeting because it—a continuation of the meeting, I think the last one was at Helsinki and Parliamentary devices of the Soviets kept us from starting the meeting. And finally the Prime Minister of Spain had us come over to his office, it's 4 o'clock in the morning. We'd been up all night trying to start the meeting and broke the log jam and we got started at 5 a.m. My wife was with me and when I got back to the hotel she said, "Have you gone crazy? Where have you been?" [SHIPP laughs] But there wasn't any terrorism in the air then. Nobody thought anything like that.

SHIPP: Cold War still going on.

BELL: Cold War was it. We seem to have to have a preoccupation with something. Right now terrorism is a big thing.

SHIPP: You were a life-long democrat, very active democrat. Very enthusiastic and very successful democrat yet when President Bush the elder started running for office you supported him and you were a key advisor to him and you had represented him in Iran Contra. Would you talk about that relationship some?

BELL: Yeah. I've forgotten, who'd he run against? Dukakis.

SHIPP: He ran against Dukakis and he ran against Mondale.



BELL: Yeah. The first time ... no Mondale ran against Reagan.

SHIPP: That's right. Right. He ran against Dukakis in '88.

BELL: Yeah, that's when I voted for President Bush but I didn't take any active role. I don't think I told anybody I voted for him. Didn't -- made no public announcement of it. But I met President Bush when he was head of the CIA and I was Attorney General. And he called me to ask me to get him relieved because he was embarrassed to be up there with all the democrats. Said, "All my friends are gone and I'm still stuck out here at the CIA. See if you can't get something done." Well, we'd had a delay in picking the head of the CIA because President Carter had in mind a man who it turned out was a conscientious objector in World War II and ten senators called me over to the meeting and told me to tell President Carter they didn't want to embarrass him but they couldn't confirm him. So he had to find somebody else then. So there was a delay. So that's when I met President Bush the first time, and I liked him. And then while he was President I happened to be in Washington for some reason and I was in the White House and I was told that President Bush wanted to see me. He knew I was in the White House. So I went up to his office, the oval office and he started he said, "Where'd you get such a sun tan?" I said, "Well, I've got a house at Sea Island, I've been out in the sun playing golf down there." He said, "I went there on my honeymoon. I never have been back. I'd like to go back." Said, "Get me up a golf game and I'll stop there on a trip somewhere." Well it turned out he and Barbara finally decided they'd come down for the weekend. So they came down and stayed at the hotel and first time they'd been back since their honeymoon. And then one other time I did something with him...

SHIPP: How'd you get involved in the Iran Contra?

BELL: I'm going to tell you. I was playing golf. I'd been reading about it in the newspaper and I was down at Sea Island playing golf and I got a call and a messenger came out on the golf course and said, "The White House is calling you." And I said, "Well, hit the ball, let's go. I don't ever respond to the White House. They got to have a name before I'll call back.

Hundreds of people working at the White House." So these guys I was playing golf with sort of startled that I didn't rush in. Well we got in about 45 minutes later and I returned the call and said, "President Bush is looking for you. He wants to talk to you." Of course I felt terrible then. Still I hadn't called in to begin with. But he said, "I've got a problem here. Iran Contra—the special prosecutor Judge Walsh has named me now as a subject of his investigation after I gave these pardons and I'd like to get you to represent me." Said, "I've been using Boyden Gray because he was the White House counsel but I need some outside advice." So I went on up there and started representing him and we got, found a way out of it. Turned out he had a diary that he'd been producing all these records he forgot to produce a diary that he'd kept a short period of time, two-three years earlier when he was Vice President. That got to be a big point of controversy with Ward and had some personal references in it. I wouldn't produce it unless he'd let me redact those things and he wouldn't do it and I finally compromised it by letting Ward read it and then he gave up, we got that part of it settled. And then he dropped the charges later.

SHIPP: Well, now, when President Bush the elder ran against Bill Clinton, where were your support and sympathies?

BELL: Oh, I supported President Bush by that time. I did it for a simple reason, I didn't think Clinton was qualified. He'd only been the governor of Arkansas. He never worked in Washington a single day and it blew my mind that he could be as qualified as Bush was who had all this foreign policy experience, CIA experience, and whatnot. It turned out Clinton had been studying all his life, I guess to be President and he knew a lot about Washington even though he hadn't been there. But, I didn't support it.

SHIPP: But then four years into that he ran against Senator Dole—

BELL: And I represented Dole.

SHIPP: You represented Dole?

BELL: I didn't represent him, I helped him.

SHIPP: So you, by that time, had pretty well left the Democratic Party?

BELL: Yeah, I introduced Senator Dole to the students at Georgia Tech the weekend before the election.

SHIPP: And then...

BELL: Told them if they would elect him they would have a drug-free White House. [That] got the biggest hand of the night. Bigger hand than he got. [Shipp laughs].

SHIPP: Then you represented George W. Bush when he was elected and you were involved in the Florida election controversy. Tell us about that.

BELL: Well I didn't do much down there. Jim Baker was actually the lawyer in charge of all the other lawyers. And they assigned me to go watch the ballot counting in Palm Beach, which I did. It seemed to me that they were doing a pretty good job at Palm Beach and so I reported back and I went in to talk with the three election officials. First thing they wanted to do was get my autograph.

SHIPP: Must have made the other side a little nervous.

BELL: Yeah. We were—anyway, we had a nice visit. They showed me what they were doing if a ballot had any votes where the hole was punched all the way through they counted that ballot because that indicated to them the person knew how to vote and that the machine was working. I thought that was the way they should have been doing it in Fort Lauderdale and these other places, which they weren't doing because we sent people to Fort Lauderdale and they were not doing that. And then I went over to Tallahassee later on and met with Jim Baker and went over some briefs that were being filed and then I—when the case got in the Supreme

Court I represented some think tank, I've forgotten who it was, I think it was maybe one run by...

SHIPP: Who...it wasn't Hudson or Kato?

BELL: No, it was another one. What's the preachers name down there? Robertson?

SHIPP: Robertson, right.

BELL: Robertson, it's one they back. I've forgotten what it is, anyway they employed me to file amicus briefs and we had a young lawyer in the Washington office that did most of the work on the briefs and he's a young man now who's a Deputy Solicitor General, argues in the Supreme Court all the time. But we filed two or three different briefs for that group. That was a client.

SHIPP: Coming forward a little bit, you also were an advisor to Defense Secretary Rumsfeld on military tribunals and of course...

BELL: On the rules.

SHIPP: On the rules and of course that is suddenly back in the news big time, military tribunals and the treatment of prisoners and everything. Discuss your role in that matter and discuss your views.

BELL: Well we made the rules for the military tribunal and so far they have not had a single trial and it's designed for the Guantanamo prisoners about—I don't think there's any complaints about them. And I've now been appointed to the review panel of the military tribunal which is like the court of appeals, the same work I used to do.

SHIPP: Right.

BELL: For those same Guantanamo cases whenever they're tried. They haven't been tried yet, so there's nothing to do and I have not been sworn in but when I am sworn in I told them I'd be glad to do this as a volunteer, you know, not charge the government for doing it. They said, No, this was a military tribunal. You had to be an officer in the military to serve on the review panel. So I'm going to be made a Major General, commissioned as a Major General to just to do this appellate review work.

SHIPP: Well you served in the army you came out a Major, is that right?

BELL: Major. Right.

SHIPP: In World War II?

BELL: It's a big jump in rank. [BOTH laugh] I recently had to go to Walter Reid Hospital to get examined.

SHIPP: To go back to the military [Shipp laughs].

BELL: I think—I'm sure they had to give me some waivers on many of my ailments, but I don't think it's going to take more than two or three months to do this. Once they have a trial. They never have had a trial yet.

SHIPP: What's your view of all the controversy going on now about the treatment of prisoners and talk about the Geneva Convention and...

BELL: Well, you know, I don't really want to say much about that because I'm not—I haven't studied the law of war yet and I have to get up to date on all those things. But the rules that were made up for the Guantanamo prisoners are good rules. They're almost the same, almost as good as soldiers get, our own soldiers get. And the review tribunal I've seen those rules and we can actually reduce sentences. We can't increase them but we can reduce sentences. And then we can be overruled by the President and I'm assuming that means the Secretary of Defense as well since he works for the President. So it seems to me that's a good system. Now those people over there—they're holding in Iraq, some of those people will be released, some of them will be tried by the new Iraqi government. I haven't heard anything about any of them being tried by the U.S., same with Afghanistan. The only one I've heard anything about being tried are the ones in Guantanamo. Now running those prisoners overseas that's a whole different story there, trying to get information out of them and what they did to them.

SHIPP: The other big major recent controversy you were involved in was a committee that studied what happened in the Robert Hanssen case. Robert Hanssen being the chief FBI counterintelligence man who turned out to be a Russian spy.

BELL: Not only was he a spy, he caused several Russian people that were helping us in Russia to be put to death. He should have got the death penalty himself.

SHIPP: What did you determine in investigating—the method of handling that case?

BELL: Well, there's a written report so I'm not telling anything I shouldn't tell, a public report that we made, the seven of us under Director Webster who was the Chairman. All of us had experience in this sort of thing. This man was paid to be a Russian spy. His wife found out about it and objected and made him go to a priest. And this was over a ten year period. He went to the priest and confessed and the priest told him just don't spy anymore but give the money they paid you, you've got to give that to charity. That's all that happened. Wife went and told a brother who was an agent about it. And the brother reported it to the special agent in charge in this particular office which I think was in Chicago as I remember it. And they did nothing about it. This man, he was in the intelligence end of the FBI and he was seeing all the secrets and knew who all our people were who had given us information. He had access too all that kind of information and he's feeding it back to them, so he quit spying for about three years. But of course they knew him and knew how to get in touch with him. They got in touch with him again and he decided he'd start again and he by that time he had a wife and seven or eight



children but he had a girlfriend and he was getting money for her. And they finally caught him, but it was a lack of controls.

SHIPP: Judge, a few years ago and I believe it was in the Reagan Administration or the first Bush Administration the CIA operative named Eugene Hasenfus fell into the hands of the communist regime in Nicaragua and they were about to shoot him and you wound up representing him in his trial. Tell us about those harrowing days.

BELL: Well the, one of assistant Secretaries of State, well—earlier than Hasenfus was from Wisconsin, I've forgotten the name of the smaller town but not Milwaukee but he had a lawyer up there. His family got a lawyer after he was captured and the state department, assistant secretary for Inter-American Affairs, Latin American Affairs was in the matter and there's two of them. One or the other called me at my house at Sea Island to see if I would take the case and go down there and get him out. I recommended they get former Vice President Mondale of Cyrus Vance. Mondale told them that it wasn't his type case. And Vance told them he had to go to Europe. So he called me back and they said they're getting ready to try him for Kangaroo court, probably going to execute him. So I said, "Okay, I'll go. I'll do it." My wife heard all this. She thought I'd gone crazy. And so I did and you know [unintelligible] went with us. And I got one lawyer from the law firm and then a young lawyer in Atlanta named Taylor Boone was in church at Sunday and the preacher was preaching a sermon on something to help other people so he was sitting there and he thought, "Well, you know I ought to go help on the Hasenfus case because I speak fluent Spanish. Probably Judge Bell can't speak Spanish and I might be of some help." And he had some experience in foreign law practice. So he

volunteered to go so that was a team, plus a lawyer from Milwaukee. And we all went down there and we did pretty well the first week as you recall. They—we stayed in the hotel. Didn't get shot although there was young people with AK-47's all over the place. We were trying the case to some extent in the media, particularly television. And Ortega, the dictator, while we were there went out to the Coca-Cola plant which they'd taken over but this was symbolic. Made a speech about Senor Bell being there to represent Hasenfus. Said, "Senor Bell is a rich lawyer. Hasenfus is a poor man. Who's paying Senor Bell?" And the crowd would shout, "Reagan, Reagan [with Spanish accent pronounced Ree-gen]" meaning President Reagan. Course I wasn't being paid at all. Never was paid. But it was a volunteer thing. But Ramsey Clark had gone down there and gotten there ahead of me and they put him up in the finest suite in the hotel and he told them that I was working for the CIA. And of course that poisoned the water before I could even get started down there. And then they set the trial for maybe two weeks later, something like that. When I got back down there the second time they took my luggage and I didn't have any clothes for three days. They wouldn't let me use the hotel. I had to go stay with the Ambassador to Ambassadors residence and we went to the trial, I can't remember, we went to trial the first trip or the second trip but it was bad. Anyway, they never did execute him. They had him—convicted him, had him in jail. Wouldn't let us talk to him and I came back home thinking this was just a failure. Senator Dodd from Connecticut called me up and said he was going down there that as a young man he was in the Peace Corps in Nicaragua and he wanted to know if I would object to him interviewing Hasenfus. He was going to ask Ortega to go to prisoner and interview Hasenfus. And I said, "No, that'll be fine. I hope you can interview him." But I said, "While you're down there if you'll tell them you need him as a witness against, in the Iran Contra investigation they might let him go." So he said

he'd try that. And that's how he got out. And then never used him as a witness. It turned out in the hearing they didn't need him. But he did—they did release him and we had—I sent a lawyer to Miami to meet him when they brought him into Miami.

SHIPP: And he later returned home and had more children, one of whom he named for you.

BELL: Name, well, for the three of us: Warner Hayes, Taylor Boone, and me. He was—he's got three names, three given names. It's an exciting thing and one of the interesting side stories is Dr. Lowery who is head of the Southern Christian Leadership Conference was invited to come down to witness the trial. Ortega called him and said they needed somebody to come who would testify that the trial was fair, that sort of thing. So Dr. Lowery, unbeknownst to Ortega Dr. Lowery called me to see if he ought to go. So I suggested he go. And then they put him in the hotel but they wouldn't let me meet with him. That was the second week. But he had Reverend Oswell with him who was Mrs. King's first cousin. He worked for SCLC as well. And he would meet with me and tell me what was going on. And that was quite helpful. Dr. Lowery was helpful and when he was released I gave Senator Dodd and Reverend Lowery all the credit for getting him released. And Dr. Lowery called me and asked me if I wanted to run for office. I told him I did not and he said, "Well, if you do I can get you lots of votes." Said, "You're the first person that's ever given me credit for anything." [BOTH laugh]

SHIPP: You mentioned Dr. King and before we started the tape here you mentioned two of the great national mysteries, one being the assassination of President Kennedy that Senator Russell certainly had some doubts about the conclusion and I believe you said that—when you were I

the Justice Department as Attorney General you reopened or had reinvestigated the assassination of Dr. Martin Luther King, Jr.

BELL: I did, yeah. It had been, I think it had been investigated twice before but I ordered them to reinvestigate because I could not believe that a person who had been at school through third grade, been in prison most of his life could escape from prison, end up with an automobile and a rifle and have a passport. He could go to Canada and ended up in London. How all that could be done by one man who just escaped prison. So I thought there was somebody else in it. Well we never found out who it was. And that, to this day, nobody knows who it was.

SHIPP: Same conclusion.

BELL: Yeah.

SHIPP: Is there anything...

BELL: One more great mystery to me is Deep Throat. I always had an idea that somehow or another Russians were mixed up with the Deep Throat.

SHIPP: Deep Throat was the confidential source of the Washington Post who broke Water Gate. Who do you think Deep Throat was?

BELL: Well, I suggested to the CIA that the Russians may have been tapping the phone lines and picking up the recording since Nixon was recording everything. And they said, "Oh, that's impossible. That didn't happen." But I believe it could have happened and I thought maybe they were feeding the information back out.

SHIPP: To the Washington Post.

BELL: Yeah.

SHIPP: And those two reporters are still famous and became millionaires or multi-millionaires on the basis of that.

BELL: Yeah. And nobody knows yet who Deep Throat was. Never have told, but if it was the Russians it was the greatest foreign intelligence cue in the history of the world. They broke down the government of this country.

SHIPP: Couldn't you also argue that terrorist were largely responsible for ending Carter's political career also?

BELL: Oh yeah. The Iranians.

SHIPP: You're an old Mercer man but in 1998 you were the 73<sup>rd</sup> recipient of an honorary Doctor of Laws degree at the University of Georgia. I'd like to mention that since we're doing

this under the auspices of the University of Georgia and then earlier this year you received the Atlanta Bar Associations highest honor. In looking back over your very distinguished career and having seen so much history. What do you think was the high point and the low point of some of—where did things really change and where did we start into the modern era we are now?

BELL: I think in my generation I feel like I was born with one foot in the old South and one foot in the new South and I think that was the dividing line. And it probably came from people who served in World War II. We frequently we're called the Greatest Generation but we were the first generation of Americans that got college degrees. And I think that had something to do with it. And the generation before me just couldn't handle the changes that we had to go through. It was too much for them. And I think it was my own generation that had brought about the changes. I think of all the people who were in the Vandiver Administration, all the young people, we were young then, and how we saw things differently. I know the first time I ever reflected on the fact that—of the kind of school we gave the blacks it struck me that this kind of thing can't last. They're really getting a second-rate education while the whites are getting much better education. And once you start seeing things like that, you know, you know what's going to change. And the question is how do you change? How can you bring about change? How can you adjust to change? And I think amongst the greatest things my own generation has done is adjusted to the change and lead into change. That would be the way I'd come out.

SHIPP: Well, we've moved now into a generation very few of whom have had any military experience or traveled as widely as your generation. We seem to be—some people say we're sliding back into a very conservative, maybe even towards an isolationist era in public opinion, what do you think of that?

BELL: I think, well, I think the way we're reacting to Iraq we got two things going on at the same time. We got terrorism in the background but we're trying to spread democracy, spread human rights and there's a price you have to pay to do that. And we're paying the price in Iraq. But Iraq is, on a grand scale, maybe one of the most important things ever done because if we could settle out the problems of the Middle East the terrorism problem would go away. The Palestinian-Israeli problem would be solved and all that part of the world, given the fact that modern communication, is like being next door. We have to deal with those sorts of things. I think Iraq is a key and but it has to be done successfully. We have to have the staying power. We just can't cut and run every time we have a problem. And we got in there now we need to stay in there until we get it straightened out. I went back and was reading a biography of General McArthur and they brought up in the beginning the fact that his father failed in the Philippines after—the Spanish gave us the Philippines in the Spanish-American war. Course they had so much problem with the natives, former terrorism and sent General McArthur's father there to command it, straighten it out. He failed. In two years he hadn't straightened it out. They then sent William Howard Taft who later became President but at that time was a U.S. Circuit judge over there as a Civilian Administrator. Took three more years, took five years to ever get the Philippines straightened out. It may take that long in Iraq and we have to have the patience to do that and I'm not certain the younger generation is for that. I don't know

if they have that much staying power. Course, they haven't had that much experience. They don't think in long term ways and I think even the television has something to do with that. We have instant news. We don't have any reflection. We don't think deeply. We don't read deeply. And I think that is all bad.

SHIPP: Are you optimistic about the future?

BELL: I am.

SHIPP: Are you optimistic about the South?

BELL: I'm optimistic about the South particularly and I see part of the country almost socialist way taking care of people. But I think the South and the West are the great hopes. And I think we'll find some leaders. I think we don't have as many leaders as we should. For some reason, I don't understand why we don't have more leaders. I think polling has something to do with it. Polling keeps you from leading. It gets you where you won't take a risk. And big business people that start new business, that sort of thing. They take risk. You take—we're taking a risk in Iraq. And it's costing a lot. But I think you have to have somebody that has a vision to see those sorts of things. And we have certain institutions that are ineffective. United Nations is ineffective. It's good for some thing but it's certainly not good as a peacekeeper. It's not good as somebody to keep order. And NATO should be expanded I think. I think the President may be working in that direction. But you don't just have to have European countries. There's other countries that we ought to get into something like NATO and they ought to be people who will



help with the hard things and then we ought to have somebody that maintains the peace. We ought not to have to do both. And we need to work toward that way. Another thing I don't think we're doing is I had high hopes that President Bush and Putin would get together and deal with the Israeli-Palestinian problem. The Russians have great influence in the Middle East. They're not doing anything. They need to be brought into the equation. If you had Bush and Putin cooperating on the same problem we'd get it solved.

SHIPP: Going back to your days as a young man in the Vandiver Administration with a solid south, solid democrats. Did you ever think you'd see the day we were the solid again and a solid republican?

BELL: No I never did. You know, Reggie Murphy's got in his biography of me the story of my mother when I went to see her about—to tell her I was going to be the Kennedy Campaign manager and that he was a Roman Catholic. She's granddaughter of a Baptist preacher and I was worried about what she says and what she thought about it. And she said, "I already knew about it. I read it in the newspaper." And said, "I thought about it a lot and I'd rather you support a Roman Catholic than a Republican." [SHIPP laughs]

SHIPP: Our very patient and gracious guests today has been Judge Griffin B. Bell who is one of the more remarkable citizens to be produced in the Georgia political arena and in his 50 years of practicing law in public and private life who has probably seen more and participated in more history than any other Georgian that I know. Thank you very much Judge Bell.

BELL: Good. I've enjoyed it.

[End of Interview]

*Richard D. Pinner*  
Library for Political Research and Studies

## Biographical Information

RBRL OHD 002

Griffin B. Bell

b. October 13<sup>th</sup>, 1918

### Occupation:

- United States Army, Quartermaster Corps and Transportation Corps, stationed at Fort Lee, Virginia 1942-1946
- Anderson, Anderson, and Walker Law Firm
- Appointed city attorney of Warner Robins
- After graduating with honors in 1948 he practiced law in Savannah and then Rome
- Attorney for Spalding Sibley Troutman and Kelley, later renamed King and Spalding 1953-1958
- Chief of staff to Governor Ernest Vandiver. 1958-1960
- John F. Kennedy's 1960 presidential campaign
- President Kennedy appointed him judge of the Fifth U.S. Circuit Court of Appeals October 1961-1974
- Returned to King and Spalding 1974-1977
- Attorney general of the United States 1977-1979
- Senior management with King and Spalding 1979-
- Headed the U.S. delegation to the Madrid Conference on Security and Cooperation in Europe 1980
- Co chair of the Attorney General's National Task Force on Violent Crime 1982
- Headed investigations into E. F. Hutton's financial management in 1985
- Headed investigations into Exxon Valdez oil spill in 1989
- Commission on Federal Ethics Law Reform

### Books:

- *Taking Care of the Law*, 1982

Additional Source: Lanier, E.R. Griffin Bell (b. 1918). *The New Georgia Encyclopedia*. <http://www.georgiaencyclopedia.org/nge/Article.jsp?id=h-1027>. Accessed on February 4, 2008.

## Subject Analysis

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Griffin B. Bell

- Georgia school integration
- Integration of the University of Georgia
- The Kennedy Campaign in Georgia
- Martin Luther King's releases from Jail in Georgia
- Georgia's County unit system
- Busing
- E.F. Hutton Case
- Exxon Valdez Case
- Attorney's for the Civil Rights Movement
- Relationship with Charlie Block
- Confirmation of Judge Alex Lawrence
- Estrangement between President Johnson and Richard B. Russell
- Bells' Confirmation as Attorney General
- Association with Frank Myer
- Time as Attorney General under President Carter
- Conference on Security and Cooperation in Europe
- Bells' Support of President Bush Senior
- Iran Contra
- Role in the Florida Election Controversy
- Military Tribunals and the treatment of Prisoners



- Robert Hanson Case
- Eugene Hasenfus Case
- The assassination of JFK
- Deep Throat
- High and low points in Bell's career

*Richard D. Arnold*  
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