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Session VII: Concluding Keynote: A Conversation with Dr. Clarence B. Jones

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MR. LEN RUBINOWITZ: We are on to our concluding keynote speaker. I’m going
to very briefly reintroduce Clay Carson for those of you who weren’t here this morning
when he spoke. He is the preeminent Martin Luther King scholar, editor for the Martin
Luther King Papers, of which there are now seven volumes. And he’s going to introduce
and engage in conversation with his friend and colleague, Dr. Clarence Jones. Dr. Jones
is our concluding keynote. And you will soon see why we are delighted to have him as
our concluding keynote. Gentlemen? (Short pause.)

SESSION VII: CONCLUDING KEYNOTE: A CONVERSATION WITH
DR. CLARENCE B. JONES

PROFESSOR CARSON: Well, we’re here. And welcome to all of you. And the way I
would like to start this is August 28, 1963. As some of you know, that’s the date of the—
all of you should know, that is the date of the March on Washington for Jobs and Freedom. And I was there as a nineteen-year-old by myself, had somehow hitched a ride to get there. And I was among the people in the crowd, looking up to see the heroic people of my age like John Lewis, see people from Hollywood, all these celebrities up on the platform; and, of course, listening to Martin Luther King give his “I Have a Dream” speech.

And I thought about that because we must have been within a hundred yards of each other, but the distance was far more than a hundred yards because he was behind Martin Luther King. He was part of that inner circle. He was, by that time, someone who had gone through the experiences that I would later write about. And it’s a good way of starting because I think that for many of us, these experiences changed our lives.

And, you know, we’ve intertwined them in various ways since then. And for me to understand Clarence Jones’s experiences has been enlightening because even though I listened to Martin Luther King, I never was able to even say hello to him. And one of the great privileges of my life is that over the course of the last fifty-some years now, I’ve been able to get to know some of the people up on that platform. And about seven years ago—

PROFESSOR JONES: Eight.

PROFESSOR CARSON: Eight years ago now?

PROFESSOR JONES: Right.

PROFESSOR CARSON: See, I’ve been corrected—eight years ago, this guy walks into my office. And, of course, I knew Clarence Jones, but here he was, right in my office in front of me. And I remember thinking, gosh, what a storehouse of knowledge that I have the privilege of seeing here. Now, I thought he was coming for a short visit, but here he is. He’s not going to ever leave. I’m going to have the benefit—and I told my students when I introduced him to my class, this is like having a course on the Civil War and having Lincoln’s Cabinet, a member of the Cabinet, come in, and talk to you.

PROFESSOR JONES: I’m not quite that old yet, but that’s okay.

PROFESSOR CARSON: And I’m catching up with you, by the way. And so, part of what I’d like to do is give you that benefit of talking to someone for a few minutes about what it was like to be that close to Martin Luther King. And I thought maybe we should start with just that first encounter that you had with him. And maybe you could describe what led you to work with him.

PROFESSOR JONES: Well, I’d like to come back to the first encounter. I’d like to go right from the march, and then, come back to the first encounter.

PROFESSOR CARSON: Okay.
PROFESSOR JONES: Because on August 28, Wednesday, I was standing about forty, fifty feet behind Dr. King. And he is introduced by A. Philip Randolph. And A. Philip Randolph says, “And now, the moral leader of our nation, I am pleased to introduce the Reverend Dr. Martin Luther King, Jr.”

And 275,000 people assembled there at the Lincoln Memorial, capital of the United States, go zonkers; 275,000, twenty-five percent of whom were white, by the way. So I had talked to Dr. King immediately the night before on Tuesday, but I also had had some discussions with him and Stanley Levison and so forth about exactly what he would say.

A lot of different people were offering him advice. Well, you know, “What are you going to say at this speech?” Ralph Abernathy, for example, I remember him distinctly saying, “Well, you know, Martin, the people who are coming to this march, they want to hear you preach.” And Professor Lawrence Reddick from Morgan State said, “No, Martin. A lot of people have heard you speak. They want to hear you give some direction,” along with Cleveland Robinson, who was a labor leader, so forth.

So the night before, as was customary, I mean when Stanley Levison and I were just myself, one-on-one with Dr. King, to the extent that he had asked for any help or assistance, I anticipated that he was going to just have his head full. He was upstairs in the Willard Hotel—I had to think for a moment—in a suite with Coretta, working, preparing for the speech. And I had a chance to see him briefly. And what I had done, what I did on that occasion, which I had done on many occasions, is that I drafted for him in longhand, on yellow sheets of paper, some suggested language that he might consider using, that he would have some structure when he was working on this speech, to use that structure, all of it, some of it, none of it, and revise it as he saw fit.

So as he is introduced on the day of the march, I’m listening to his speech. And as he is speaking, I then for the first time, I’m aware that at least for the first approximately seven paragraphs, he had incorporated and used the language which I had suggested in longhand for the opening paragraphs of his speech. And he had added his own paragraphs after that. And I said, “Oh, my god,” you know. I’m thinking to myself. And as he is speaking, Mahalia Jackson, who had performed earlier on the platform, she shouts to him, “Tell them about the dream, Martin. Tell them about the dream.”

Now, he’s reading the text. And I can’t say that I—because I was looking at him from behind. I think he looked over in Mahalia Jackson’s direction. But when she said, “Tell them about the dream, Martin. Tell them about the dream,” he took the written text and moved it to the left side of the lectern, grabbed the lectern—this is all in real-time—grabbed the lectern, looked out on all those people. Now, I don’t know who was standing next to me—I don’t know if it was male or female, white or black—but I do remember saying to that person, “These people out there, they don’t know it, but they’re about ready to go to church.”

And that’s when he started this extraordinary speech, which we know is the “I Have a Dream” speech which was completely extemporaneous, completely spontaneous, except for the last part of that speech where he read from the card about a Negro preacher, “Free at last, free at last.”

February, 1960. I’m twenty-nine years old. Martin Luther King, Jr., is thirty-one years old. I’m minding my own business in California because I had recently moved there seven months earlier after having graduated from Boston University Law School.
and having served, also, in the United States Army during the Korean War. I’d done very well in my third year of law school in a course on copyright law. And my copyright professor thought that this is something I ought to pursue. So just to make a long story short, I was embarked in a career in intellectual property/entertainment law in California.

When on a Thursday evening, in February, 1960, a Judge Hubert Delany, whom I had great respect for, he called me up. And he said, “Clarence,” he says, “You know, I’m the chief counsel for this Martin King. You’ve heard of him?” I said, “Yeah.” “He’s been indicted for tax evasion and perjury by the State of Alabama on his state income tax return. And I have three very able lawyers assisting us, two lawyers from Chicago, Robert Ming and Bob Leighton [sic: Chauncey Eskridge], and I have a young lawyer from Montgomery, Alabama, by the name of Fred Gray. But I need a law clerk. I need somebody who is going to go work and do legal research and so forth.”

So when he first talked to me, I thought he was talking about doing legal research and sending it to him. “No, no.” He says, “Clarence, you know, you have to go down there.” And I said, “Well, Dr. King, I can’t possibly do that.” And he was very disappointed in me. By the way, let me just say, parenthetically, Judge Hubert Delany was an extraordinary mentor. But a young woman came up to me earlier. Her name is Joanne. I don’t know what her married name now is, but her maiden name was Joanne Kinoy. And her father was my legal mentor, who worked closely with Judge Delany. Arthur Kinoy was the most brilliant lawyer I had ever met. How I thought as a lawyer, how I analyzed things as a lawyer, was very much impacted by this extraordinary man. When he went to Columbia Law School, he was a Harlan Fiske Stone Scholar, editor of the Columbia Law Review; absolutely brilliant. And he was my mentor, along with Judge Hubert Delany. So when Judge Hubert Delany called me, obviously, it had a great impact on me. So that was on a Thursday.

Now, Friday morning, I get another call from Judge Delany. He says, “You know, Clarence, at the time of our conversation, I didn’t know it, but Martin King is on his way right now to speak in California. He has a speaking engagement Saturday night. And then, on Sunday, he is going to be the guest preacher over in Baldwin Hills. And I told him that, taking advantage of the change in time, that the very first thing he should do when he gets off the plane, to come to see you.” So I’m thinking to myself, you know, I have great respect for this man, Judge Hubert Delany. Having said no, I can’t go to Montgomery, Alabama, how can I say no, I don’t want to meet this man, Martin Luther King, Jr.? I didn’t want to meet him, but I did anyway.

So to put this in 2014 context, Dr. King, at that time, in February, 1960, had been on the cover of “Life,” “Look,” “Time” magazine. He was, by all classic terms, a celebrity. Now, my wife, who is deceased now, but at the time, when I told her that Martin Luther King, Jr., was coming to our home, you would have thought, in 2014 terms, that an amalgamation of Denzel Washington, George Clooney, you would have thought that the greatest living star in the world was gracing our home, okay?

Friday night, the doorbell rings. Two gentlemen come in. Dr. King is introduced. I said, “We’ve been waiting for you.” And he is with another young man by the name of Bernard Lee. And after some pleasantries, he gets right down to business. There is like a coffee table sitting between us. Anyway, he is sitting across the coffee table. And he leans across, close to me. He says, “You know, Mr. Jones, Judge Delany has told me so much about you. And, you know, Mr. Jones, we have lots of young white lawyers,
particularly from the Midwest and the North, who help us with our cause. But what we need are young Negro lawyers like you to help us, who are struggling, our people struggling for freedom in the South.”

And I said, “Well, Dr. King, you know, Judge Delany has said—I appreciate what you’re doing, and I really wish I could help you, but I just simply cannot go.” He was crestfallen. He was just, you know, disappointed. And then, he asked me some questions, you know.

He said, “Well, tell me something about yourself.” I said, “Well, you know, I was an only child. My parents were live-in household domestic servants. And when I was six years old, they put me in a boarding school for indigent colored orphans and foster children. And I was raised by Irish nuns from the age of six to fourteen,” and so forth. And I told him, “You know, my mother died—she saw me graduate from high school, never saw me graduate from college or law school, died at the age of fifty-two,” et cetera, et cetera. He leaves.

My wife then turns to me. And she says to me, “What do you think you are doing that is so important that you cannot help this man that came all this distance to ask for your help?” And I said, “Anne, that’s not true.” I got into my lawyer’s bag. I said, “That’s factually not true. He had a speaking engagement here in Los Angeles. And Judge Delany thought it would be useful for him to come out and stop and see me.” And I said, “Besides, just because some Negro preacher got his hand caught in the cookie jar, stealing, that ain’t my problem. And if he wasn’t guilty, he wouldn’t have been indicted.”

She says, “I don’t believe you.” I said, “Well, that’s how I feel.” Well, as I write in my book, that was a cold night in the Jones household that night, okay? Saturday morning, I get another call. This time, the voice on the other end is just saccharin, sweet, dripping. “Mr. Jones?” “Yes.” “My name is Dora McDonald.” “Yes.” “I’m Dr. King’s personal secretary.” “Yes.” “Mr. Jones, you know, he enjoyed so much his visit with you and Mrs. Jones, but he forgot, he forgot to invite you to be his guest. He’s going to be the guest preacher tomorrow at a Baptist church in Baldwin. And he wants you to come.”

So, you know, I took down the information. I told my wife. She was about eight months pregnant. She says, “Well, you may not be going to Montgomery, but you’re going to that church.” So I go to the church. Now, you know, I used to be a little defensive when I said, well, I had never heard Martin King or seen him speak before, but I’ve gotten over defensive. From 1956 to 1959, I wasn’t concerned about no Martin King, you know, I mean, so I wasn’t defensive about the fact that I never saw him, never heard him. He was not part of my life, not part of my radar.

He is introduced by the resident pastor. And when he gets up—as I said, I never heard him speak before. And he says, “Ladies and gentlemen, brothers and sisters, the text of my sermon today is the role and responsibility of the Negro professional in helping our less fortunate brothers and sisters who are struggling for freedom in the South.” So I immediately thought to myself, now, this is one smart dude because this is in a church in Baldwin Hills. Baldwin Hills, California, at that time, I guess it still may be, was like the black version of Beverly Hills and Bel Air, rich, you know, you, anybody.

So as I say, I never heard him speak before. Now, he spoke. He spoke and repeated much of what he had said around the coffee table, but with much more detail and much texture and richness. It was riveting. Never have I ever heard any human being
walking on two legs in a human voice speak like that. It was unbelievable, mesmerizing. And then, he pauses in the middle of this very powerful speech.

And he says, “And, for example, there is a young man sitting in this church today. My friends in New York, my lawyer friends in New York, tell me that this young man’s brain has been touched by Jesus. This young man, a young lawyer, they tell me that when he goes and does legal research in the library on any legal problem, he goes all the way back to the time of 1066, to William the Conqueror, and the Magna Carta. And then, my friends in New York for whom I have great respect tell me when this young lawyer writes down what he finds on his legal research, the words are so compelling, they just jump off the page.”

So I’m thinking to myself as I hear this, this bears no rational relationship to me, the description. I had only been in Los Angeles for seven months. So I’m thinking opportunistically, whoever this young man is, when this church service is over, I’m going to find out who he is and network because he can help me, the way that dude is described.

And then, he goes on. He says, “You know, but I had an opportunity to visit with this young man the other night at his house in Altadena.” I said, oh, lord. And then, you know, the way I tell it is that what I told him about myself and my life, it wasn’t a state secret, but I didn’t think he was going to tell approximately 1500 strangers. So I describe it as like Roberta Flack has this hit song, “Killing Me Softly,” you know. Well, he was killing me softly by telling all my story.

And then, he continues. He says, “But, you know, this young man has forgotten from whence he came.” And I said, oh, lord, again. And then, he did something that was only Martin King, but I thought it was very unfair. And as I thought about it, it’s typical Martin King. It wasn’t unfair. There is a poem that Langston Hughes has written, the Negro poet and author. The actual poem is a letter from mother to son. And in that poem, the woman, she is described as scrubbing stairs. And the poem has a repetitive line that said, “I’m doing this for you, son. Life ain’t been no crystal stair.” She pauses.

But what Dr. King did was that he took poetic license, and he put my mother as the actor in the poem. And when he did that, I had like a video image of my mother, a domestic servant with her blue dress and white apron. And I started to cry, quietly to myself. Tears came down because he had really moved me. The sermon is over. I told you, he was a celebrity, right? So he is standing on the pulpit entrance, standing on the steps outside the pulpit, giving autographs. And as I walk over to him, and he sees me, he says, “You know, I never mentioned your name, Mr. Jones. I never mentioned your name.” And as I got closer to him, he says, “You know, sometimes, we Negro preachers—I never mentioned your name.”

I just walked over to him, got over to him, took my left hand, put it on his right shoulder, and put my right hand in his right hand. I looked up, still a little teary in my eyes. And I said, “Dr. King, when do you want me to go to Montgomery, Alabama?” That’s what I call the making of a disciple. Now, by the way, in that indictment, in April, 1960, Dr. King was acquitted. That was the case in which Fred Gray was the local lawyer. But Dr. King was acquitted. And the reason Dr. King was acquitted wasn’t anything else, is that there were two lawyers from Chicago—I mean their names should be inscribed somewhere—Robert Ming and Bob Leighton [sic: Chauncey Eskridge]. They were black. They were African American tax lawyers. One of them actually was the supervising lawyer for the State of Illinois income tax. They were tax specialists, okay?
So people have asked me, “Well, how is it in April, 1960, Martin Luther King, Jr., can be acquitted by an all-white jury in Montgomery?” And my explanation is, based upon my recollection, and based upon what I remember—I won’t say the jury being polled, but information that came back to us—the tax attorneys had so destroyed the government’s, the State of Alabama’s case, just ripped it to shreds, that the jurors had to make a decision of whether or not they were going to look like idiots and buffoons by having convicted this man, or whether they should acquit him. And they had to live in that community. And I think they decided, rather than be ridiculed because the government looked like a fool, that’s why they voted for an acquittal. Can you imagine that? April, 1960.

Now, by the way, when Dr. Carson was introduced, he was referred to as, you know, the scholar of the King Papers Project. Coretta, 1985, selected him to assemble and organize all the papers. He and I have come to know one another, and so, we have a kind of mutual pact because we’re realists. So I put it this way: I say to Clay, I said, you know, if we, the surviving lions, don’t tell our stories, the hunters will get all the credit.

And what he’s doing 24/7 is recording for posterity, long after he’s gone, long after I’m gone, the 24/7 authentic—people who study, want to know about Martin Luther King, Jr., you will be able to see it in documents, in videos. And so, to be a part of that, I commend this program. I hope this is being videoed. And I hope, Clay—I mean I’ll represent you, you know. You’ve got to negotiate with Northwestern to be sure we get a copy of that video, okay? I signed the video release. Do you know what? Do you know what? I haven’t been practicing in a while, so I made a mistake. I should have put down a little asterisk.

PROFESSOR CARSON: I did. I did.

PROFESSOR JONES: You did?

PROFESSOR CARSON: I did.

PROFESSOR JONES: Oh, man. I wanted to be sure there was a—

PROFESSOR CARSON: Yes.

PROFESSOR JONES: Come on, brother.

PROFESSOR CARSON: I’ve learned from him.

PROFESSOR JONES: Okay. Come on.

PROFESSOR CARSON: I’ve learned from him.

PROFESSOR JONES: Okay. All right.
PROFESSOR CARSON: This is the person who put the copyright stamp on the “I Have a Dream” speech by hand on all the copies that were distributed to the press, so he doesn’t leave too much detail for chance.

PROFESSOR JONES: Right.

PROFESSOR CARSON: But I wanted to move on because I know we have a limited amount of time.

PROFESSOR JONES: Right, right.

PROFESSOR CARSON: Because to me, the most important campaign for Martin Luther King and for the movement was the Birmingham campaign. If you think about it, if Martin Luther King, after not achieving his goal in Albany, had failed in Birmingham, history would have been different. Martin Luther King would not have been invited to give the concluding address at the March on Washington. There might not have been a March on Washington. He would not have won the Nobel Peace Prize the following year. So that campaign, which one of the things I point out to my students, was the decisive factor in that campaign was what we called the Children’s Crusade. Young kids, some of them as young as eight, nine, ten years old, turned the tide of what could have been a defeat into a victory in Birmingham. Now, you were there.

PROFESSOR JONES: Right. Let me comment on that, okay?

PROFESSOR CARSON: Yes.

PROFESSOR JONES: You’re absolutely correct. Dr. King, among one of his first arrests was on Good Friday, April 12, 1963. I had this opprobrium, I had this kind of burden, this moniker, of being identified by many of the parents and people there as Dr. King’s New York lawyer.

So when I went in to see Dr. King, we were facing some serious problems about bail. James Bevel was mentioned earlier. James Bevel was like a little leprechaun, pied piper in Birmingham. The children really, really, respected him. He bonded with them. There was not unanimity within the adults of the Birmingham campaign as to whether the children should be involved. There were those who said, “No. We don’t want to take the children. We don’t have it.”

And it became clear to me that whatever Dr. King and Fred Shuttlesworth and Lucius Pitts and the Alabama human rights adults are going to say, the children were going to participate. One of the consequences of the children being in jail was bail. So only Arthur Shores and myself, the only two lawyers locally in Birmingham—

PROFESSOR CARSON: Now, we should make clear that there were two stages of this.

PROFESSOR JONES: There were two stages to that.
PROFESSOR CARSON: That when Martin Luther King was in jail, many of the college students had become more involved. The decision about having the younger children was still later.

PROFESSOR JONES: That is correct. That came. Thank you. That’s right. But I just want to talk on the question of bail was so critical. So I go in to see him. When I go in to see him, I go in because I said, “Martin, we’ve really got a really serious problem here.” I talk about the question; we’ve got to raise bail. And he virtually dismisses me. And, you know, I had a very good personal and professional relationship. I said, “Martin, did you hear me? We’ve got a real problem with bail.” He said, “Well, you and Harry Belafonte have to work out this. Have you seen this?” So I said, “What are you talking about?” And he shows me a dirty copy of a full-page ad from the Birmingham Herald, in which there had been an ad, a full-page ad taken out, signed by eight clergymen. And I said, “Well, what is that?” He says, “Well, you know, I’ve got to answer this.”

And so, what he was doing when I went in to see him, I couldn’t get him to focus or pay attention to me about any bail issue. He was actually writing a reply to that ad. That writing, over the course of four days, consecutive days, became the “Letter from the Birmingham Jail.” And my task, from the time I learned what he was doing, was to bring out scraps and sheets of paper. On the first day before I came in to see him, he had written, started writing on toilet paper, a paper towel, the blank spaces of old, dirty newspapers.

And then, he said, “When you come back in to see me, you know, you’ve got to try and come and see me twice a day,” which I could, in the morning and in the afternoon. So what I would do when I came in to see him, I would take blank sheets of paper and put them under my shirt. At that time, in April, 1963, the authorities knew I was Dr. King’s New York lawyer. They don’t do like they do now in homeland security. Nobody patted you down. Nobody checked. The only thing I had to do was I took out my license just so they could see that, you know, for the record.

So over the course of the next—during that period of time from when I first saw him in jail, the three or four days, I would bring in blank sheets of paper. Then I would take out what he wrote on the blank sheets of paper. And I would give them to Wyatt Walker, who arranged to have them typed. And as I said—

PROFESSOR CARSON: May I pause you for a second?

PROFESSOR JONES: Yes.

PROFESSOR CARSON: You’ve got young law students out there. Are you suggesting smuggling things into a—

PROFESSOR JONES: Well, that’s a good question.

PROFESSOR CARSON: Go on. Go on.
PROFESSOR JONES: No. That’s a good question. I’m going to take the Fifth on that one, okay?

PROFESSOR CARSON: Okay.

PROFESSOR JONES: And so, that became the letter from the—by the way, maybe a week to ten days later—I didn’t pay any attention. I had some serious problems. We had some serious problems. The bail, bail problem was a very serious problem.

In fact, when I came back to the A.G. Gaston Motel after having visited Dr. King, I come into my room, and there is an urgent call. Call Harry Belafonte. I call Harry Belafonte. And I spilled out my guts. I said, “Harry, we’ve got a major problem.” He said, “Well, that’s the reason I called you. We may have some help. How soon can you get to New York?” I said, “Well, how soon do you want me there?” He said, “You’ve got to come up immediately.” This was on a Friday. So I took the last plane out from Birmingham. He gave me some information. He says, “No matter what time you land, you have to call this number. They’re waiting for you to call.”

The number I was calling, a man by the name of Hugh Morrow, who was Nelson Rockefeller’s PR person, so forth. Harry had said the Rockefeller family wants to help. So I speak to Hugh Morrow about 1:00 a.m. in the morning. And he says, “You have to be at the Chase Bank first thing in the morning.” This is Saturday morning. I get to the bank Saturday morning. So, you know, this is April, 1963. There were no banks open. There were no ATMs. So I go to the Chase Bank. And there is Nelson Rockefeller. There is David Rockefeller at the bank.

Now, as I say, I tell the story, you know, I mean I wasn’t wealthy enough. I mean I had been in a bank and seen a vault, you know. You go into the bank, you see, well, that’s the vault. But except for gangster movies and movies, I had never seen the inside of a vault. So when I went to the bank, this vault was open. There was a huge door they pulled open. The door was this thick. Nelson Rockefeller walks into it. There is money stacked from floor to ceiling, cash in canvas bags. They walk out, take out $100,000 in cash, okay, in hundred-dollar bills. And I’m so ecstatic, $100,000 in 1963 for bail money. Man, I’m so ecstatic. And I want to get out of there.

And they said, “Hold on, Mr. Jones. You know, bank regulations require that we have some evidence that we gave this money to you.” I said, “Fine. So I’ll sign a receipt.” “No, no, no, no, no.” So I go over to this person who’s typing. He said, “What’s your name?” I said, “Clarence Jones.” “What’s your middle initial?” “Benjamin.” “Clarence Benjamin Jones.” “What’s that?” He said, “It’s a promissory note.” I said, “I’m a lawyer.” I said, “Okay.” “No.” He said, “This is a demand promissory note.”

For those of you who are not lawyers, there is two types of promissory notes: there are notes that are payable on a day certain, okay, a thirty-day promissory note, three years, five years. Then there are demand promissory notes. The demand promissory notes are subject to the statute in which the demand promissory note issued. When the creditor asks for his money, you’ve got to come up and pay it.

Normally, in New York State at the time, I think you were entitled, the creditor is entitled to have at least three days. Okay. So I signed this demand promissory note. And I’m thinking about this. I’m thinking to myself, I had better not tell my wife I’ve done this, you know? So I get out. And I’m anxious to get the money. And I go to a pay phone.
The very first thing I do, I call Harry Belafonte who arranged this. I said, “Harry, you didn’t tell me that I was going to have to sign a demand promissory note for $100,000.” His response, “Well, better you than me.” I said, “But you’ve got more money than I have,” you know.

Anyway, so I go down, take the money down to Birmingham, add it to the bail fund. On Tuesday morning, when I’m back in New York, a messenger brings a handwritten envelope marked “Personal and Confidential.” I open the envelope. It’s the demand promissory note I’ve signed. I turn it over. It’s marked “Paid in Full.” Well, I didn’t pay it. So that was very important.

Now, after I first came on board to work with Dr. King, one of the first major hurdles I had, aside from the tax case which I’ve already told you about, was the case that on March 29, 1960, a committee to defend Martin Luther King, Jr., for his tax case, they took a full-page ad in The New York Times under the caption, “Heed their Rising Voices.” The ad was signed by Eleanor Roosevelt, the president of Howard University, the University of Notre Dame, Harry Belafonte, so forth, Marlon Brando, all those people, Shelley Winters. And the police commissioner of Birmingham, Alabama, a man by the name of L.B. Sullivan, sued The New York Times for $500,000 in 1962 for libel, libel because the text of the ad—by the way, the ad was written by Stanley Levison and Bayard Rustin. And they based the text of the ad on reporting from Claude Sitton from The New York Times, okay? There were certain factual errors.

Like, for example, the ad said that there were—I’m just thinking—like there were fifty police on horseback. There were not fifty, there were only twenty-five. The ad said that the students in protest were singing “My ‘Tis of Thee.” They weren’t singing “My ‘Tis of Thee,” they were singing “America, the Beautiful;” inconsequential. But anyway, so one of the first things—I come on board. And I said we’ve been—the New York Times is represented by this very white-shoe law firm called Lord, Day & Lord. So Stanley Levison and I, we go down. And I meet with Lord, Day & Lord. And the first thing they insist on, they said, “We want you to issue a retrac—tion.” And I said, “No, no.” Well, in effect, they are saying, “You guys have nothing to lose, but we want you to issue a retraction in mitigation of damages.” I said, “No. We’re not going to issue a retraction.” And Stanley, who was very, very smart, so forth, he was beginning to weigh the political things. And I pulled him aside. I said, “Stanley, under no circumstances can we consent to a retraction. We have to stand firm on this, okay?” So we didn’t issue a retraction. And so, one of the responsibilities I had was to supervise, coordinate the defense of that case. And the major problem we had was money to defend it. And there was a neighbor of mine in Riverdale by the name of Theodore Kheel who was very close to William P. Rogers, former Secretary of State, Attorney General. And he had a big law firm occupying three floors of the PamAm building in New York called Rogers & Wells.

So I went in to see William P. Rogers. And I told him about the case. And we needed help. And he said, “Well, do you think you could get Dr. King up here?” I said, “Yes.” So the next week or shortly thereafter, I bring Dr. King up to Rogers & Wells. And I tell him this is going to drain us. This is going to bankrupt us. My assessment is that if politicians in the South could use this law for the libel, it would really decapitate and bankrupt the civil rights movement. So we had to fight this. We had to fight it. Long story short, Rogers & Wells decides to take the case pro bono. They take it all the way up.
to the Supreme Court. And it results in the landmark case on libel, Sullivan vs. The New York Times.

I heard you talking about a TRO. My experience with a TRO and Martin Luther King, Jr., is in July, 1962—I think it’s in July or May, yes, 1962. Dr. King had been active in Albany. And Judge J. Robert Elliott had been a Kennedy appointment, a stone-cold segregationist judge was appointed to the bench. And the mayor of Albany, the political leaders, they went before Judge Elliott to issue a TRO against the Albany movement peacefully demonstrating. And Dr. King was absolutely incensed. “I’m not going to obey that. I’m not going to obey that. You know that. That’s just issued by a segregationist judge,” so forth. And I said, “Well, hold on.” This is reminiscent of what some of our other speakers said. I said, “Hold on, Martin.” And he went into a just law, an unjust law. I said, “Hold on.” I said, “This is a court order.” I said, “It ain’t no law or just law. This is a court order issued by a district judge.”

“Well, Clarence, I don’t want you to do something—I don’t want you to advise me. I’m not going to obey it.” I said, “Well, Martin, think about this. We constantly criticize public officials, public officials in the South, who don’t follow court orders, so what kind of moral ground are you going to have if you don’t abide by a temporary restraining order from a court order? You can’t do that.” Bobby Kennedy got on the phone. He was exasperated. Burke Marshall got on the phone. He was exasperated. Finally, the only thing that persuaded him was my commitment that with Orzell Billingsley, a lawyer, and Constance Baker Motley, a lawyer, that the very next day—we worked all around the clock. The very next day, we went and filed an appeal before the Fifth Circuit to overturn the TRO. And the Fifth Circuit had an Eisenhower appointee judge, Judge Elbert Tuttle, who was on the Fifth Circuit, a very liberal judge, and overturned the TRO and prescribed the very ways in which the march should continue.

Being a lawyer for Dr. King, particularly when you also developed a friendship with him, was a fine line you had to walk. There are a couple of instances that I remember. Let’s take he is at a meeting at the White House with John F. Kennedy. And John F. Kennedy pulls him aside—I mean President Kennedy pulls him aside, gives him a private walk in the Rose Garden. And he says, “You know, Dr. King, J. Edgar Hoover and my brother tell me that two of your top people, Stanley David Levison and Jack O’Dell, that they are members of the Communist Party, and that Stanley Levison is in direct touch with the Central Committee of the Communist Party of the Soviet Union. And you have got to get rid of them.”

And then, he used the example. He says, “You know, I don’t want us to be in a position of the British prime minister whose government fell because he had a member of his Cabinet called Lord Profumo who was in an affair with a woman by the name of Christine Keeler. And Christine Keeler was also at the same time having an affair with an admitted Soviet spy. And that’s what caused the Macmillan government to fall.” So Kennedy says, “You’ve got to get rid of them.” So I wasn’t at the White House. I go and meet Dr. King afterwards, very urgent, I tell you. And he is really shaken. First of all, he’s shaken at two things: he is a little resentful that the President is telling him that he has got to get rid of these people. But he is also shaken. And he turns to me. He said, “Well, what do you think, Clarence?” He said, “Do you think Stanley is still a Communist?”
And so, I turned to him. I said, “Hold on, Martin.” I said, “You introduced me to Stanley Levison.” I said, “You’re the one that told me”—I said, “As a matter of fact, I’ve come to know Stanley.” I said, “You remember he did disclose to you that he and his twin brother had been—yes, they had been open members of the Communist Party, but now, he is not a member of the Communist Party.”

Jack O’Dell, Jack O’Dell, whom I loved, had great affection for, part of Jack O’Dell’s problem with Dr. King is that he had blind-sided him. Dr. King didn’t know everything about Jack that some of us other subjects knew. So I was in this difficult position of having to prepare a statement that I was going to let Jack O’Dell go. And then, they had a special meeting. I think it was in Dorchester. And I was assigned with this Special Investigative Committee. I was to report to the Special Committee of the SCLC that I had investigated Stanley Levison. And as a result of my investigation, I had determined that he was no longer an active Communist. And I had to put those—I had to make that recommendation.

Now, thereafter, following a very little interesting—by the way, Stanley David Levison, what an extraordinary man. Jewish, lawyer, real estate, met Dr. King before I did. Now, when I visited with Stanley Levison one-on-one and I told him what had happened, his first reaction was, “Clarence, you’ve got to convince Martin. I don’t want to get on the phone. You have got to convince Martin that he can no longer talk to me. His leadership in the movement is more important than me because I guarantee you that they will use this to try to discredit him,” and so forth.

So that was an extraordinary action on the part of Stanley. Martin’s dependence and reliance and his affection and love for Stanley Levison and their respect and love for one another made it very difficult for them to keep that separation. And so, since I was the person who saw and talked to Stanley Levison virtually every day anyway, Martin King would call me almost daily and say, “Have you talked to our friend?” “our friend” meaning Stanley, okay?

So we were then confronted with tapes where the Attorney General says, “Yes, but you’re still conversing with Stanley Levison through Clarence Jones as an intermediary.” By the way, from July 13, 1963, to December, 1967, every telephone call between Martin Luther King, Jr., Clarence Jones, and Stanley Levison was wire-tapped, the substance of the call transcribed and written down, 24/7, marked “Secret” and “Top Secret.” And there was telephoto surveillance.

In fact, when I was writing my first book, I couldn’t find any pictures of myself with Dr. King. So I said to my publisher, I said, “You know, let me see if I can reach out to the FBI because I know they must have lots of pictures.” And they consented, that they said they had lots of pictures, and they would let us have them for a substantial fee, okay? The best picture I can remember; it was reproduced in “Atlantic” magazine in August or something. And it’s a picture of Stanley Levison and myself and Dr. King coming out of a hotel. So that’s part of the legal responsibility.

Now, Clay, when you spoke about knowing Dr. King within the context of the Cold War, I’m glad you said that because, you know, after the time of the March on Washington, if we had used traditional polling methods, Dr. King’s approval rating was probably maybe eighty to ninety percent. At the time of his death, April 4, 1968, his approval rating was about thirty to forty percent. He was a pariah. He was a pariah
because he dared speak—among other things, he dared openly speak out against the Vietnam War in a speech he gave on April 4, 1967, one year to the day before he was assassinated. And he also became a pariah because he began focusing on the guts, focusing on poverty, focusing on income equality, focusing on things where—the power and became a threat.

Interestingly, when he decided to give this speech opposing the war in Vietnam, his close advisors were divided. I’m talking about Andy Young, myself, Stanley Levison, Harry Wachtel, and Bayard, we were divided. Some of us took the position that notwithstanding Johnson’s prosecution of the Vietnam War, the fact of the matter is he has been the best President for civil rights that Negroes had ever had. And we don’t want to get in the middle of that. Let the peace movement take him on. We don’t want to do that. My position, I was in the first position. I said, yes, we don’t want to take him on.

And then, I changed my position. And he asked me to write a draft of a possible speech that he might consider giving, okay? I wrote a draft. And I sent it to him. And he called me up on the phone. He says, “I thought you were my closet radical.” I said, “What do you mean?” I said, “I think I am.” He says, “Well, I got this draft.” And what I had done in the speech was I set out the facts of the Vietnam War. And then, I would state something, but I would say, “but on the other hand,” and then I would go, blah, blah, blah, blah, blah. And then, I would say, “but we have to consider,” blah, blah, blah, blah, but on the other hand,” back and forth. And he says to me, he says, “You, above all people, you ought to know that the Vietnam War is either morally right or morally wrong. What is this ‘on the one hand’ and ‘on the other hand’?”

He says, “I’ve got to rework on it.” Okay. What happened is that he went and talked to Vincent Harding who didn’t live too far from him. And they wrote a speech that was a fantastic speech. In fact, when he sent me this speech that they had written with Vincent Harding, the first thing I said, I said, “Are you sure you want to say this,” okay?

Among other things, he says, he has this declarative sentence in the speech that says, “The United States today is the greatest purveyor of violence in the world,” period. That was strong stuff. Also, I’m thinking defensively as a lawyer because I also was concerned about how we would respond. There had been a couple of notices, a couple of inquiries made that came from North Vietnam, a peace movement, a peace movement in North Vietnam as to whether or not we could meet them in Paris. So my concern was I wondered whether the speech which he and Vincent Harding had written had crossed the line of what I called the Logan Act.

The Logan Act is a Federal act which prohibits private citizens interfering into the conduct of American foreign policy. So he gave this speech. Within twenty-four hours on the floor of the Congress, four or five people got up, and they cited the Logan Act as to why Dr. King should be indicted. But what was even more disturbing is that white and black leaders, civic and civil rights leaders who had stood with him, they publicly criticized him. They publicly criticized him for speaking out, publicly criticized him. And it had two effects on him: one, he was disappointed. The other, it emboldened him. It made him angry. But it sort of added additional steel to his spine.

I like to give a kind of overall characterization of the legacy of Martin Luther King, a lot of which I learned from Clay. I sit in on his classes. Sometimes, we teach classes together. But my overall assessment goes like this: in twelve years and four months, from 1956 until April 4, 1968, with the exception of President Abraham Lincoln
and the Emancipation Proclamation of 1863, Martin Luther King, Jr., may have done
more to achieve racial, political, social justice and equality in the United States than any
other person or event in the previous 400-plus years of our country. That’s my thesis.

Putting it in classic terms, particularly, that young people should understand,
Martin Luther King, Jr., was a bad dude. He was the twentieth century preeminent apostle
of non-violence, love, and a commitment to the pursuit of personal excellence. He, like
all of us, was fearful, but he was fearless. He was fearless.

I wasn’t there on August [sic: April] 4 or August [sic: April] 3 when he gave that
“I’ve Been to the Mountaintop” speech. It was chilling when I listened to it. But when I
heard it, knowing what was going on with him, you know, I felt it was a reflection of his
just sheer exasperation, sheer fatigue that a lot of things that were going on that were just
making him were draining him. You were nineteen years old, and you didn’t know him,
but you knew him, you saw him.

Those of us who are the surviving lions are fortunate enough to have been with
this member of our pride who, when he was being saluted with the Nobel Peace Prize
which, by the way, October 14 of this month was the fiftieth anniversary of when he got
notified that he did receive the Nobel Peace Prize. December, next month, the fourth or
the eighth, is when he actually receives it. But Gunnar Jahn, the Chairman of the Nobel
Peace Prize Committee, in introducing Dr. King, said, among other things, he is the first
person with the exception of Mahatma Gandhi in the western world that has been able to
bring about a fundamental political transformation in a western industrial country without
violence.

Barack Hussein Obama was able to be elected—let me put it another way—
Barack Hussein Obama would have been unable to be elected in 2008, but for the
fundamental transformation of this country by Martin Luther King, Jr. One of the great
things of his brilliance is that he knew that no matter how compelling on the merits the
case for ending racial inequality was, he knew there is no way that twelve percent of the
population, Negroes, no way Negroes are going to be able to impose that point of view or
bring it about. It couldn’t happen.

The only way it could happen is when a majority—is only when eighty-eight
percent, when a majority of eighty-eight percent of the people, white people, came to
understand that it was in their self-interest that racial segregation end. And often,
something else that’s often omitted, is not given enough history and not given enough
credit, among those eighty-eight percent of white people who changed the conscience of
America, that portion of the population that constituted the greatest majority and gave
their lives were members of the Jewish community of America.

American Jews made it possible for our success. And I’m not talking about
writing checks, I’m talking about actual participation. You want to go and do an ethnic
check on Mississippi Freedom Summer, ’64, of those 1400 or 1500 white people that
went down to Mississippi to register blacks to vote, the majority of those were young
Jewish kids, the majority of them. And two Jewish young men from New York, Michael
Schwerner and Andrew Goodman, were murdered along with James Chaney by the Klan
merely because they were trying to register unregistered blacks to vote. So I don’t want to
start preaching, okay?
PROFESSOR CARSON: I know we’ve only got a few minutes left, but maybe the best way of wrapping this up though is to go back to where we started and give us some idea of the personal relationship, going back to that summer and the months leading up to the March on Washington because it was during that time when Martin Luther King is in New York, you’re in New York. And I wondered if we could just end with just a couple of minutes about your recollections about that period.

PROFESSOR JONES: Well, after Birmingham, which was very exhausting and strenuous on Dr. King, sometime in June of ‘63, a group decided that they were going to have a March on Washington. Now, after a vigorous, exhausting campaign, Dr. King would traditionally go somewhere with his family on vacation. Normally, it would be to the Bahamas, to California, or to Jamaica. But with the March on Washington being planned, it was clear that he couldn’t go, he couldn’t go away. He would need to be around and available.

So one day—and I knew all this was going on—so one day, I get a call that there is going to be a meeting of the march committee. And I go down to meet with the march committee. And I learned for the first time that Dr. King and his four children and family are moving into my house, are moving to the house where I lived in Riverdale, that we were going to move out, and he was going to move in there so that he could be in New York.

So I said to Stanley and Bayard, I said, “Well, did you talk to Anne about this?” They said, “Well, yes. She is expecting you to call her.” So Stanley—I loved him like a brother—they had somehow persuaded Anne—as an after fact, so my family and our children, we moved out of our home, we moved to another home nearby, so that Martin King and his children could be in Riverdale, New York, and accessible to all of the people who wanted to talk to him. Now, during that period of time, he worked—I don’t know whether it was “Why We Can’t Wait” or “Where Do We Go From Here,” but he worked on a book.

PROFESSOR CARSON: “Why We Can’t Wait.”

PROFESSOR JONES: “Why We Can’t Wait.” And so, I had a chance—and, you know, nobody was supposed to know where he is, but, in effect, he used staying in my home—by the way, he stayed in our home because at that time, my wife and I, we had this beautiful home overlooking the Hudson River, Riverdale, New York, a swimming pool, sunken living room, or, as they put in street language, I was living large, you know.

And I was pleased, I was pleased to do it. But it meant I spent a lot of time with him. There were certain things I got from ‘61 to April 4, 1968, I’ll extrapolate, is he was fearless, but he was afraid. When John F. Kennedy was assassinated on Friday, November 22, and then, he, on November 23, flew up to New York to meet with me at LaGuardia Airport to work on, to fashion a statement that he would have to issue to the press, the very first thing he says as he is coming down Eastern Air Lines, he doesn’t say, “Hello, Clarence. How are you?”

He just says, “You see, if they can get to the President, they can get to me, so you guys had better stop all this nonsense about trying to protect me.” I personally believe, my observation—and I have to confess, and I write about this, too—I had come to the
conclusion and he had—now, did he say this to me, no, but this is my reading, that he had come to the same conclusion that I had come to, that Stanley Levison had come to, that Harry Belafonte had come to. There wasn’t a question of whether Dr. King would be killed or assassinated after the assassination of Malcolm X and John F. Kennedy. In our judgment, it was only a question of when.

And what I’m saying to you is that he knew that, too. I mean we had to just deal with it. He was fearless. We would be walking down the street, three or four of us, talking about something. A car would backfire. Three of us would stand up, continue talking. You turned around there, Martin King is doubled down. Now, I had been in the military, so I should have also had that reaction.

But after the assassination of Kennedy, and then, after—and this is my evaluation—he went through a depth of being depressed. I think he became kind of maudlin, that he just suspected—or I shouldn’t say “suspected”—that he just knew it was going to happen to him. Within fifteen seconds or ten seconds when I learned that he had been assassinated—I was actually on my way to Memphis. I was on my way to the airport. And within fifteen seconds I had learned he had been killed, the very first thing that came into my mind—I never will forget this—they finally got him. That’s the very first thing. They finally got him. Thank you.

PROFESSOR CARSON: On that note, a somber note, but I just want to, on behalf of the audience, thank you, Clarence Jones, for sharing his life.

PROFESSOR JONES: Thank you. Thank you. (Applause.)

PROFESSOR RUBINOWITZ: All right. Thank you.

MS. SEYMOUR: Thank you very much for joining us, everyone. We’re going to have a reception out in the atrium to your left when you leave the auditorium for refreshments and to get to know one another and speak with some of our guests today. So thank you very much. (Symposium concluded.)

STATE OF ILLINOIS
COUNTY OF COOK

I, PATRICIA ANN LAMBROS, a Certified Shorthand Reporter, C.S.R. No. 84-1790, of the State of Illinois, do hereby certify that I reported in shorthand the proceedings had at the symposium session aforesaid, and that the foregoing is a true, complete and correct transcript of the proceedings as appears from my stenographic notes so taken and transcribed under my personal direction.