

# ORAL HISTORY OF THE HONORABLE WILLIAM B. BRYANT

## Chapter 4

Work for Ralph Bunche and the Army Years: 1936 – 1947

Interview Date: June 2, 1994

**Bill Schultz:** Judge Bryant, in 1936 when you graduated from law school, what were your prospects in terms of jobs?

**Judge Bryant:** I didn't really have any. I didn't have any identifiable prospects for a job. I ended up working for Bunche as a research assistant about a year later. I don't know what the intervening stuff was, I can't remember exactly what it was. But I got caught up in doing some research for Bunche in conjunction with that Myrdal thing, that Negro in America, that *American Dilemma* book.

**Bill Schultz:** This is Ralph Bunche?

**Judge Bryant:** Yeah.

**Bill Schultz:** At that time he was still a professor at Howard?

**Judge Bryant:** At Howard University, yeah.

**Bill Schultz:** He was doing research that was part of the Gunnar Myrdal study?

**Judge Bryant:** Yes. Myrdal had gotten together a group of guys in economics, political science and government, a fellow named Doxey Wilkerson, to gather material if we could about Blacks in America.

**Bill Schultz:** How long did you work on this study?

**Judge Bryant:** I would think going into the third year, we worked on it very diligently. We collected the field work and turned out the drafts and stuff, you know, preliminary drafts of our stuff in Washington. And then that cleanup period, so to speak, involved the full staff — everybody in the Chrysler Building up in New York in the summer of 1939, everybody was up there busily whipping out the final stuff.

**Bill Schultz:** What are your recollections of Myrdal?

**Judge Bryant:** Very, very bright, inquisitive. There are a lot of guys who are bright, and can think pretty well in a straight line and then you meet some guys I choose to put in a kind of different category. I say there are some guys who can think around the corner, you know what I mean? He would capitalize things, and project things, a very, very perceptive guy.

**Bill Schultz:** What sort of work did you do on the study?

**Judge Bryant:** I did research on Negro groups and organizations. Beginning with slave revolts, Nat Turner, I mean from the very beginning of any kind of recorded resistance, to the time that we were working. The latest protest group, the newest of the protest groups at that time, was the New Negro Alliance. There were the traditional groups, you know, the NAACP, Urban League, pattern groups during that period, and then the National Negro Congress came along, which was a kind of more aggressive, more radical group. That's what I was responsible for. Gathering and organizing the stuff that was coming in from the field. Bunche had on his staff three or four people, field workers who gathered information in the deep South, labor unions, and, among whites, we had a fellow named George Stoney, I remember him very well, he was a graduate student, a graduate of the University of South Carolina, a young white boy who did some work for us and he would pull his notes and send them on in. And we kept the stuff.

**Bill Schultz:** What sort of field work would they do?

**Judge Bryant:** Well, a boy named James Jackson, for instance, did some work down in Virginia among the Tobacco Workers Union, as a matter of fact. Black people were financing the tobacco industry. They unionized at one time, and it was a kind of active union. There was a time when radicals and communists would get involved in organizing any protest group they could. You had to worry about Communist infiltration in these new groups that came.

Jack would send in his interviews, just raw grass-roots stuff. Interviewing sharecroppers, and farmers and would-be labor leaders and would-be church people who tried to do some

organizing without being run out of the city. Stoney did tremendous work interviewing; at that time the Democratic primary in the South was a closed private group and was known as the solid white primary; you couldn't vote in the primary. The man who won the nomination, the Democratic nomination, usually won the election too because the Republicans had no political, no viable political machinery in the South. They didn't run any opposition, any effective opposition, and the Democratic primary was all white, there were no Blacks allowed. Stoney interviewed county chairmen, for instance, in the South.

During those days, the chairman was really like Hayne out in Chicago, I mean up in Jersey, or Daley out in Chicago, I mean the boss. And that's when Stoney wrote some notes and he sent them up from either Georgia or Alabama, I think. He quoted this guy as saying, "It's all right with me, but it's funny, those guys up north like Hayne and the rest of them up in the north we can't buy as many votes. So we just got to cut down the pool." I read that, and I broke out laughing, but Bunche said, "What's the matter?" And I gave him this and he said, "Well, that figures," he quoted this guy. I will never will forget it, he said, "You talking about race, it doesn't have anything to do with race, we got nothing against them niggers, but we just don't have the money they have up there, we can't buy as many votes." And that was it, he was very straightforward.

**Bill Schultz:** That was Stoney. Was he white or Black?

**Judge Bryant:** He was white. He was from the University of South Carolina. He was a graduate or graduate student, but he was from the University of South Carolina. George Stoney was his name. He would send his notes. He would be on the road, and he might send his notes on an envelope or anything. He would take the back of an envelope and write down something. He was very quick, I mean while it was hot he would send the stuff in on a scratch of paper, so to speak. Now I would pick up the mail from him and from Jack, the guy working with

the tobacco workers, and did the drafts on the things I did on groups, and organizations and stuff that I did. And I got to be pretty expert in that because that was my main responsibility.

**Bill Schultz:** Now did Bunche actually go down South and into the field?

**Judge Bryant:** Yes, he went down South and into the field.

**Bill Schultz:** What about you?

**Judge Bryant:** Hell no, I didn't go and told him I wasn't going. I told you that story, didn't I? Even Myrdal went. Bunche had a Ford automobile. Bunche was a light-skinned guy and he could go out in the summertime and put a straw hat on and some sunglasses and he could get by and nobody would think he was anything other than white. I told you this, if he were with another white man he could get by.

As a matter of fact, I told him, I said, "Pops, I'm not going down there." I'm just not going down there. I had a mortal fear of it. I told you about thinking the guy jumped on the train to kill the Black people. I had a mortal fear of violence in the South.

Myrdal wanted to go and Ralph went with him. And they went down there and they ran into some problems when they picked up a girl in Mississippi. They picked up a girl on the highway who was hitchhiking, a college student and was hitchhiking and they picked her in their car in, I think, Tuscaloosa, Miss. They picked the girl up, and the girl had been in the car every bit of five seconds when Myrdal asked her, "Would you think about marrying a Negro?" He was inquisitive when he wanted to get to the point, and he didn't have time to warm up to the substance. So he asked this girl about marrying a Negro. And shortly thereafter the girl got out of the car and then Bunche said that there came a time when he noticed that they were being followed and it was kind of tense there for a while. Some of this is in his book. I've got a book on Bunche and he recounted a little bit of that.

**Bill Schultz:** When was the next time you went down South?

**Judge Bryant:** When I was in the Army. No, not really. The first time I went down South was when I was working at the Office of War Information in the groups and organizations section, and the Army had set up a division of information which was headed up by a guy who was an advertising executive from New York, Edward Hawthorne, a real tall man, on intellectual aspects of the Army personnel. I have some idea that there was some correlation between bigotry and racial attitudes and educational level and these guys thought that there would be less animosity among the races as you progress along those lines. But I was on the team. I worked at the Office of War Information, and the team came out of this division. I was a civilian assigned to this research team, and we went to those places. That was my first time in the South since I was a little boy, and later on I went in the Army, and then I went to many, many places in the South. But then when I went there I went right straight to the military installations. I didn't feel like I was exposed but so much. I wasn't in the city, in the towns. I was in the military installations and as a member of the armed forces I felt some security.

**Bill Schultz:** You finished working on the Myrdal study in 1939 & 1940?

**Judge Bryant:** Yes, 1940.

**Bill Schultz:** During that time were there any opportunities for you to practice law in Washington?

**Judge Bryant:** Well, at that time there really wasn't. I was consumed with these other things and really wasn't trying to find them. I wasn't exploring them.

**Bill Schultz:** Well, what about your classmates at Howard?

**Judge Bryant:** Well, the boy from West Virginia went to West Virginia and started practicing. Scovel Richardson went to New York to practice. He ended up as a judge on one of these tax courts, or some kind of court. It wasn't really on top of the burner because when

the Myrdal thing ended up, we got into the Office of War Information in their groups and organizations section.

That's when I met Alan Barth. He was in the press section over at the OWI, but in the groups and organization section. They had labor groups, ethnic groups, they wanted Bunche to come into the OWI. His graduate work was in colonialism and international stuff, and during his early years he had spent a lot of time in Africa and probably knew more about Africa, North Africa and West Africa, than anybody in the country. Bunche was the kind of guy who did his work on the scene, so he knew Africa like the back of his hand. He had spent a lot of time over there, and we were gearing up our forces for active duty. North Africa, you know, became the focus as a landing invasion point.

A guy named Donovan, we called him "Wild Bill" Donovan, was the head of the Office of Strategic Services. That outfit had the orientation in the first place, they had the guide to West Africa, the guide to North Africa, and what not, about the terrain, the people, the customs, and what you might run into in those guides. And that was indispensable with those guys and Bunche. Bunche just naturally rose above the surface any place he found himself with no effort. He was an unobtrusive fellow, not a person who was concerned with any turf, a person who apparently had no ambition. He just rose above the surface, he was just a natural, in any company.

He pushed me into the OWI because they wanted somebody who knew something about Negro groups and organizations, and at that time, I suspect I knew more about it than anybody else. Really, not because of any special brilliance, but on account of the fact that that had been, you might as well say, a doctorate thesis in the Myrdal study. So I knew all the organizations. I knew all the leaders, not personally, but I knew about them and knew as much as they wanted to know about them.

**Bill Schultz:** So did you join the Army in order to go ....

**Judge Bryant:** As far as working at OWI, when the Army pulled together this research team to do this work on trying to get some idea of racial attitudes in the service, I went with them as a civilian member of the group, and shortly thereafter I went into the Army and was commissioned as an officer.

**Bill Schultz:** How long did you work with the War Department?

**Judge Bryant:** I went in the Army 1941.

**Bill Schultz:** How much of that time were you in the United States?

**Judge Bryant:** All of it except sometime in May of 1945 until the fighting was over. The fighting was over, and the Army was sort of dressing its wounds in the services of all places. I could write a history of that duty station.

**Bill Schultz:** Let's go back. What about the time between 1940 and 1941 and 1943? What were you doing then?

**Judge Bryant:** I was in OWI.

**Bill Schultz:** Tell me what recollections you have of that time?

**Judge Bryant:** At OWI?

**Bill Schultz:** Yes.

**Judge Bryant:** An organization would have a convention or meeting. There were protest groups all over the country. From time to time they would have their national conventions, or special protest meetings, and I would cover it for the agency. They knew who I was — I wasn't an undercover person.

Current on the activities in the media, and as the people put out their own information on stuff, I was current on the activities of the various active protest groups during that time. And there were a lot of protests, and it had been a long recession when Roosevelt came in. In 1932 things arose and then Hitler came along, and Europe was in turmoil. The war was going on over there, we weren't in the war, but we became what Roosevelt called arsenal for the democracies.

Factories geared up, and we went on a wartime industrial basis before we got in the war, before we actually got engaged in participating in the war. So Roosevelt's economic problems were gone, I mean the factories were rolling, and the jobs were there, and so forth and so on. The recession had lasted so long that when things began to take an upturn, Blacks who had been the first to be fired were the last to be hired, and that was so. Factories began to be opened and people were going back to work, but Negroes didn't. They weren't sucked up into that too readily, and there were a lot of protest movements.

Randolph, who lead the Brotherhood of Sleeping Car Porters, a labor organization, was a very active fellow, and he was very organized up in New York. The Mayor of New York, Fiorello La Guardia, told President Roosevelt that Randolph had 250,000 Negroes poised to march on Washington. Roosevelt at first wasn't impressed but Mrs. Roosevelt is alleged to have said, "No, no, no." Roosevelt thereupon signed what's known as Executive Order 8802, on governmental hiring. All federal hiring in the government was just burgeoning. But Negroes would be hired in direct proportion to their place in the population, so ten percent of Black people could get jobs.

**Bill Schultz:** When was that?

**Judge Bryant:** 1940 or '41, not '42. I don't know, but about that time.

**Bill Schultz:** Why would the Office of War Information be so interested in what these organizations were doing in their protests?

**Judge Bryant:** It wasn't an FBI sort of thing. It wasn't that type of thing, but they wanted to know what these people's concerns were, to what extent they were organized, and what their plans were. I guess, to some extent, it was an intelligence organization. Do you know what I mean? But it wasn't a sort of secret thing. It was the kind of thing that I went someplace, and I said I'm from the Office of War Information, the government wanted to keep its hands on

the pulse, and wanted to do some responding as a matter of fact, wanted to respond to some extent to these people.

**Bill Schultz:** Were they glad to have you there? What was their reaction?

**Judge Bryant:** There was no hostility. I talked freely with people, and it was not secretive. It was none of this, like a wiretapping or mole proposition.

**Bill Schultz:** Did you travel around the country?

**Judge Bryant:** Yes. I traveled. And their publications, the organizations I'm talking about were progressive people. For instance, in the press, in the Office of War Information, in the press division Alan Barth was there. That's where I first met Alan Barth. I also met the guy who headed up the organization for the most part out there. The guy who headed up the Bureau of Intelligence was Philleo Nash. You ever heard of Philleo Nash?

**Bill Schultz:** No.

**Judge Bryant:** Philleo Nash was in the Truman White House for a while after I got out of the Army. He was from Wisconsin, but these people were liberal folks. The people in the Army, in that special services division that Osborn headed, the people in that part of the Army were progressive people who were really interested in this whole business of the awkwardness of our situation, and why we are fighting and completely segregated bit of business. People wanted to do something about it, and in some of the research we did, we showed it upstairs on some basis that really was not our real basis. We were trying to get whatever we could to get some toehold into breaking segregation. If we could make any kind of case at all, well for instance, the idea was that a people who were better educated, the better educated people were the least bigoted people, and would be most amenable to integrated armed forces. That was the thing that accounted for the idea that Bill Hastie had that the Air Force, which was a relatively new component of the armed services as a separate branch, the Air Force was coming in, it was the newest outfit. It also called for the highest intellectual level among the

troops we had. You know the Air Force got the cream of the intellectual group because of the nature of the business. The Air Force being new, and drawing on that intellectual group, would be the one component that they need not segregate, and just starting out you wouldn't have to do any.

**Bill Schultz:** And what was his position at that point?

**Judge Bryant:** Who?

**Bill Schultz:** Bill Hastie.

**Judge Bryant:** Bill Hastie was a special assistant to the Secretary of the Army.

**Bill Schultz:** Was he using any of the work that you and any of the others in your division were doing to sell that idea?

**Judge Bryant:** I don't know really, he might very well have. We visited four installations, I remember that, as a civilian. And then about a year after that I went into the Army and went on active duty. My first day on active duty was Bill Hastie's last day in the Pentagon. He quit because the morning that I went on active duty they announced the formation of this Tuskegee Air Force Unit, and I guess he thought that he had an understanding with Stimson that at that time that they wouldn't do that. And when they did, he quit and went on home.

**Bill Schultz:** The OWI, how big was that division?

**Judge Bryant:** Oh not really. We had offices in the Library of Congress Annex, and the OSS was there too, and the OSS appeared to be smaller than we were. But we had offices in the third floor of the Library of Congress Annex.

**Bill Schultz:** It was integrated, right?

**Judge Bryant:** The agency?

**Bill Schultz:** Yes.

**Judge Bryant:** We had, I think, the press section where Alan was; he was in a bigger room with a whole lot of desks, and I don't remember any Black people being in there to tell you the truth. The people were there on the basis of some sort of specialty they had.

**Bill Schultz:** Tell me about Alan Barth.

**Judge Bryant:** Alan Barth?

**Bill Schultz:** Yes, how old was he when you knew him? I just want to have a sense. Was he your age?

**Judge Bryant:** I guess he was about in my age group or the same age.

**Bill Schultz:** I never knew him.

**Judge Bryant:** A quiet, soft-spoken guy, who was concerned about a lot of things and always smoking a cigarette. The next thing I know he was at the editorial group at *The Post*.

**Bill Schultz:** Right, had he been a newspaper reporter?

**Judge Bryant:** I don't know what his background was before I met him. I don't know where he came from before I met him, really. His wife had Astaire and me over to dinner last year. Her daughter had been made a judge up in Philadelphia or something, and we went over there and met. They are a wonderful family. After I came on the court, Alan and I would have lunch every couple of months. It kind of hurt me to see him die. I am not certain that cigarette smoking was the cause.

**Bill Schultz:** Okay, so let's talk a few minutes about the period after you left the OWI, when you went over to the War Department between 1943 and May of 1945, and when you went overseas. Why don't you just tell me what your recollections are of that period?

**Judge Bryant:** While I was in the Army I was first attached to the education branch, but I did most of my work and my field work for the orientation branch. The table of organization had a spot for an officer in the education branch, and I was originally an education

officer, attached to the education branch of the special services division, but I did most of my work with the orientation branch.

I went to various installations in the country. Each unit in the Army at one time was supposed to have an orientation officer. Now get this. An orientation officer was the officer that carried to the troops the message or cause — the reason we are fighting, and the moral justification for it. All units were separated on the basis of race completely. We didn't have any platoons with whites and Blacks in them, and in platoons of Black soldiers, the officers were white, except in the all-Black infantry division. In the 92nd & 93rd divisions many of the line and field officers too were Black. But in the transportation unit, or quartermaster corps unit, in an ordinary Army unit the personnel was segregated on the basis of race.

Why we fight, I mean as a matter of fact, was one of the subjects. The main drive of the orientation unit was, "Why are we fighting?" That got to be a hard sell from time to time in some of these Negro units, and it was almost impossible. You know, you got a quartermaster battalion of Black soldiers on a huge Army post doing dirty work, housekeeping work, and supplying the living quarters and everything else of the white troops. These Black soldiers are under the command of white officers, and the orientation officer was a commissioned officer, and why we fight was a hard sell to a Black group by any officer, Black or white.

In some parts of the country you ran into field-grade officers who were sincere men of good will, honest and straightforward people who realized what the score was, like up in Camp Shanks, New York, for instance. That was a transportation place up there. There was a guy up there named Colonel Wyatt, and he had an orientation officer up there named Fred Morrow, who was a Republican. Incidentally, he ended up as a special assistant to Eisenhower in the White House. When I met him, he was an orientation officer up in Camp Shanks.

Sometimes they got support from the high-ranking officers, from the base commanders, and Fred did that. But I ran into places in the country, like up in Ft. Devens, Mass. Ft. Devens

was a huge installation up in Mass. I went up there in the wintertime. They had some guys that they pulled in, you had to have orientation sessions once a week, on a regular basis. I think it was once a week. I was up in Ft. Devens, for instance, once, and they pulled a unit out of the field who had been out in the field in the winter time. They pulled them into one of these barracks, and had an orientation session.

Orientation, "Why we fight," wasn't high on the agenda of a lot of commanding officers, so they would make some young fledgling second lieutenant, or some inexperienced guy, or some guy who wasn't heavily favored, orientation officer. They would give him that job. I had been in the orientation session, and sitting back there with the troops in the back of the room, and just watching. I have seen some orientation officers who were pretty good, and I have seen some orientation officers who were virtually eaten alive by the troops, because in these orientation sessions rank doesn't count for so much. You have a discussion.

**Bill Schultz:** And what was your function in being there? What was your role?

**Judge Bryant:** My function was to try to see to it that the units, that the mission of the orientation division was really met, that some effort was made to implement it in the field. I was supposed to see how it went over with these troops, and try to figure out some way to make it palatable, and what you had to do, and you had to be honest with these people to some extent. You would go someplace, and you would get involved in a discussion, you just couldn't b.s. them but so far.

**Bill Schultz:** Right.

**Judge Bryant:** And I remember, for instance, up in Ft. Devens they pulled this group out of the field, and they had been up in the field in January or February, and it was colder than hell. They came in this building, and as soon as they hit the warmth of the building, many of them started to doze. But this young lieutenant — I think he was a first lieutenant, I remember him, but he could have been a second lieutenant, I believe he was a lieutenant — he started this

orientation stuff. We would send a package out, the package would come out of Washington, so that the nature of the material was generally uniform, and the guy would take off from the package.

I remember some discussion advising about why we fight, and this master race came up, and somebody raised a question about segregation in the Army. Well some commanders took the view that it was none of the troops' business, that they weren't supposed to be talking about it, but they talked about it this day, and I will never forget it. This young freshly-scrubbed second lieutenant was up there talking about why we fight, what the stakes were, and a soldier, a private, Black and kind of disheveled, had just come off the field. He was short, stocky and almost as wide as he was tall. He asked the lieutenant some sort of question, and then he told him, and these are exact words, "You know if I were you, and Negro, and you were me and white, I couldn't promise you a goddamn thing." And that young boy's face, all of the color drained right out of his face. In other words, this boy told him that if the tables were turned, he couldn't promise him a goddamn thing. Those are the words he used, and it brought home to me, now he meant it one way, but to me it meant something else. It put into focus for me what I learned when I worked for Bunche.

In working for Bunche, and getting the research on the protest movements, and so forth, I did a lot of reading and a lot of background stuff. A guy named Aptheker, who was a sociologist, Herbert Aptheker was his name, and he wrote a piece called *Scapegoating*, which had to do with scapegoating. I read that, and some other books, good sociological treatises, and I found out that scapegoating is a known human occupation.

Racism in America is just one aspect of scapegoating. If there isn't enough available for everybody, somebody will find some way of cutting out of the line some people so as to make enough available for them. I mean it might be color, it might be religion, it might be something else, we don't know, that's what it's all about. I read that, and I soon found how that it was so.

That's true, and it was true then, and it is true now, and it's going to always be true. It is going to always be true. Here in America, and anywhere else, it is going to always be true, if it's not enough. It's true in Britain, it's true in Germany now, and you will find that the level of bigotry will ebb and flow with the economic level of society. It's just true, it's too bad.

**Bill Schultz:** Did you see that in the Army?

**Judge Bryant:** Yes, I saw that in the Army, but there was no justification for it in the Army. It was a transplantation of the civilian pattern into the Army. It just happened. For instance, I found out in the Army a lot of things that had been foreign to me that I told you about, my attitude towards southerners, and southern whites, and what not, on account of my background, of my grandfather, and my folks, and my attitude toward the South.

I had come to think that northern Yankees were fine people as a matter of race, and the Southerners were natural Negro haters. I learned a lot of things in the Army. I found out that the Southern white man was anti-Negro as a group of people, but on an individual basis he was a totally different fellow in a lot of instances. And I found out that the Yankees loved Negroes as a group, but when one got within a half a block of them he went crazy. I mean that was demonstrated by what happened up in Boston during this school desegregation thing, and some other things.

It's a funny thing, but in the Army, you see, it was demonstrated in the provision for service facilities. A soldier's life was not bad in the Army. You could go into the service and you were clothed. You were fed well during the war, because military personnel ate better than the civilian people did in the country. They got the choice foods and everything else, and the service facilities were excellent. In a full-size service club in a class A institution, you had a music room with everything in it, from Brahms to Beethoven to Bach to boogie-woogie. Big, the latest recording devices. You had a cafeteria with a menu with three or four entrees on it, and desserts and soups and stuff like a regular restaurant. You had a PX that you could buy damn near

anything you wanted in there — shaving stuff and toiletries and personal stuff. You would go to one of these institutions and you would find that was true for white soldiers, but the Black soldier had a separate service club, separate PX and they didn't amount to much.

I went to Ft. Lewis in Washington, that's a big place, as far north as you can get in the United States and still be in the country. They had a quartermaster unit out there, and their service club consisted of a converted barracks, very small, and their cafeteria was a snack bar you could get French fries and fast food stuff. Now they had the mess hall, of course, but I mean for the other stuff, and their music was a jukebox. The facilities were very meager, and just completely inequitable. I complained about that.

In Atterbury, Indiana, for instance, there was a huge post out in middle Indiana, run by a young Army post commander named Colonel Modisette. He was a young fellow, small, short fellow, who carried a swagger stick and smoked a cigarette all the time. I think he thought he was MacArthur. They had a huge post, a main post exchange right at headquarters, and I believe the 44<sup>th</sup> Division was out there. I believe it was a divisional headquarters, huge service clubs, huge PX, well stocked with anything you want. Now they had the system out there where soldiers who were assigned to an area could go to the area PX, the idea was to relieve the burden on certain facilities. The soldiers from area 2 of the 44<sup>th</sup> division would go to the 44<sup>th</sup> division PX, and so forth and so on, unless they were right at the central post.

A man in the Negro unit would find himself at one end of the post, the post was a mile wide you know, and he found himself walking the post, and if he wanted a cigarette or something he would go to the post exchange, and the MP would tell him, "Soldier this is not your area." He had to go to some post exchange in his area or a facility. If a soldier wanted to get a decent meal, he couldn't get it in the cafeteria at the central post exchange, he had to go to his area. But at the same time, the Italian prisoners of war were walking around the post going in

any place they wanted to. I saw them walk into the post exchange in Atterbury, and I couldn't believe it. I just said to myself, this is kind of hard to take.

I came back home and I told them, "You know this 'why we fight,' this orientation, these post commanders make it awful tough. It's a hard sell." I said, "If they gonna do it, they ought to make things equal." And a guy named Russ Jones from Concord, Mass., I don't think he had been out of the states until the war came, a Yankee, asked me what I meant. And I said, "Well, I just think that if a Black soldier, if on a post a white soldier can go into a post exchange and go into a cafeteria and make a choice of three entrees on the menu and choose one of them, I think that Blacks ought to be able to do the same thing somewhere on that post." And he said something about the numbers and the economics of it, and I said, "I don't care if they only have one soldier there, if he was a Black soldier, and he goes into the cafeteria, he ought to be able to choose from three meals; he can't eat all three of them, but he ought to have the same choice the other guy has."

And Russ Jones told me it wasn't economics, and I said, "I agree. It's not economical, and it doesn't make any sense either, but that's just about what I saw." You know, as I look back on it, I got a whole lot of respect for Black people as a group, because the restraint that they obviously displayed in these places was just phenomenal.

**Bill Schultz:** Now did you talk to people in these places about these issues?

**Judge Bryant:** Yes. I talked to everybody. I talked to Black troops about it, and conceded that it was horrible. I talked to Colonel Modisette about it, and wrote a long report on it, and he resented it. I said, "Well Colonel," I said, "you know, it's just a fact." I said, "It's a fact and we have to deal with it. You know it's a fact, and you have to deal with it. And you know POWs walking in and out of facilities that an MP would stop a Black soldier from walking into, that's hard to take." After all, these people are not geniuses; they are just ordinary people with emotions like anybody else, so I admire them.

**Bill Schultz:** I assume we are not just talking about Black soldiers from the South who were used to segregation?

**Judge Bryant:** No, we are talking about everybody.

**Bill Schultz:** There were probably Black soldiers from the North who had not experienced segregation.

**Judge Bryant:** That's right, that's right. Well, who hadn't experienced it to the extent that the Southerners had. That's true. But you know, when you stop and think on it, it's really kind of ridiculous. America's racial policy was an embarrassment for everybody in the country who was just basically a decent person. It was wrong; it was indefensible, and everybody knew it. And there were some people in the Army who knew it. And there were some people who made up their minds that to whatever extent they could do something about it, they would do it. The thing about the prejudice that existed is that so much of it, so many things were done by people who weren't mean people, who weren't people of ill will, but people who just weren't sensitive enough about what happened, you know. That's the kind of thing that's most galling.

When Roosevelt signed Executive Order 8802, many people implemented it literally, and remind me to tell you something about Judge Fahy when I get through. A lot of employers opened the doors and let Black people come in and go to their personnel offices, and just literally counted them. Then when they got to a certain number which equaled the ten percent that they were supposed to hire, they hired them. They did that in the Pentagon. They hired a lot of people who probably weren't qualified to be there, but for the most part they hired people who were.

It was my first experience with the federal government, the old-line federal government. When I went there, the different agencies, the divisions were new organizational-wise, and they hired a bunch of stenographers. They hired them all, and put them in a stenographic pool. That was the level, let's say the level two. CA2 that was for classification and salary purposes. And

when the various branches and offices were set up, and they needed stenographic help and secretaries, and so forth and so on, they would grab somebody out of the pool. You know, this is the embryonic organization. They would grab someone out of the pool, and assign them to the education branch. Assign her, and she would be a secretary, or number two secretary, and she would start to draw money on that level, and be on a promotional level. She would have some career possibilities there, but she had to get out of the pool to get attached to an agency.

Well, when I first went in the Pentagon, they had this Special Services Division, which was relatively new. It was a new division, and it had this huge pool, and in this pool they had, well ten percent of them were Black girls, that was in accordance with Executive Order 8802. And when the education branch, and I was in another branch, a sort of offshoot at one time, but at any rate, we had a couple of women in there who were stenographers who had come out of the pool, they were white. There wasn't a Black woman attached to any branch's staff in a secretarial capacity.

**Bill Schultz:** Was this because the order covered hiring but not promotions?

**Judge Bryant:** Yes. The order covered hiring, but not promotions. In this office I was in, there was a guy named Colonel Burkes who was running it. We had two women there, one woman was from West Virginia, a nice girl, a white woman, but not too bright, and another girl, whose name I don't remember. And there was one woman, one Black woman who came out of this pool named Jennings. She went into the orientation branch under a guy from Louisiana named Rob Winsborough, a Lt. Col., who took her in there. She went in there, and she demonstrated her wares, and he thought the sun rose and set in her. She was the only woman at the time who was assigned to a branch.

Well, in Burkes' little outfit he had something, he was an advertising man, and he had some presentation he wanted for General Osborn. Osborn was an advertising executive from Batten, Barton, Durstine & Osborn up in New York, Wall Street. Burkes had some project that

he wanted to present, and that was the first time that I had run into this high-tech, hard-sell entrepreneur-type guy, you know. It involved typing memoranda, you know, an original and eight copies; if you make one mistake you got to change all of those carbon papers, so forth and so on. He had to have this work done, and there were time pressures, and what not, so he had it done. But when he got his typing done, he did what a lot of other people did, when they had some choice stuff to be done.

The pool had dwindled down to five Black women, and they were living sharks with a typewriter. They were expert people. And when Burkes had this job he had to have done for the general, he enlisted the aid of these women, and they worked like hell, I mean to around about one, 12:30 or one o'clock at night to get this work out. It was a huge success so far as he was concerned, a great thing. He sent them home. He was very, very happy, and they worked until about 12:00, and they went home, and then the next day they came into work.

Burkes was just overwhelmed with what they had done for him. He was happy about it, and very appreciative, and he brought to work some orchids. He went to each one of the girls, and put an orchid on them to show his appreciation. When I came into work, I was in the office, and he was very happy about it. He was a naive fellow, and he said, "You-all see the girls?" I wasn't paying a hell of a lot of attention to him, I really wasn't paying attention to him, I was doing something else. He said, "You, you see the girls? You see those flowers?" I said, "Oh, yeah, yeah, yeah, I saw them, the most beautiful badges of servitude I have seen in my lifetime." And when I said it, I was sorry that I had said it, because all of the color drained out of his face. He didn't institute the segregation policy, you know what I mean? When he had his work done, he was just anxious for somebody to do it, that he knew had the capability to do it, and they did it. And I told him later on, I said that I'm sorry that had to come out. I said, "You are not responsible, and to the extent that you think it was personal, I don't want you to think so." You know what he said? He said, "I understand what you mean," but that was inadvertent.

**Bill Schultz:** Now this is now after the war?

**Judge Bryant:** This is after the war. And in 1949, when this court was, when our appellate court was upped from six to nine people, three men were nominated at the same time, George Washington, Dave Bazelon, and Charles Fahy. Charlie Fahy was older than any of them, but Charles Fahy was sworn in later than any one of them, because at that time he was winding up the work on the commission's report. They recommended flat-out desegregation in the armed forces. Truman accepted that recommendation, and Truman issued the order which banned any segregation or any disparate treatment of people on the basis of color in the Army. He signed it as Commander-in-Chief of the Army, and he made it stick.

As a result of it, I mean I guess that the incidents, in terms of policy and in terms of implementing that policy, it has gone right straight through. I mean there are admirals and generals now that I don't even know about. I told you the story about somebody asking me, are you going down to Quantico this evening? For what? What the hell is down in Quantico? Well, General Petersen is retiring. Well who in the hell is General Petersen? General Petersen is a major general in the Marine Corps, of all the corps. He is a Black man who has been running that base down there for three or four years, and I didn't know. And then somebody told me about some admiral, I forget who he is, can you imagine an admiral in the Navy? The Navy and the Marine Corps, I mean the Army was segregated, but of all the segregated places, in the Navy and the Marine Corps the only thing a Black man could do in the Navy was be a mess boy. Dorie Miller grabbed one of those anti-aircraft guns at one time, and he made history doing that, and they photographed him on it.

I respect old man Truman in a whole lot of ways. A whole lot of guys as Commander-in-Chief of the Armed Forces just wouldn't do that. Do you know what I am talking about? They would hesitate to do that, but he issued that order, and he meant for it, it just wasn't one of those things that I am going to write this order, and you guys don't have to do anything about it. It

wasn't one of those things at all. Judge Fahy gave me a copy of that report, and he autographed it for me. I've got it in here. He was a wonderful guy. You didn't know him too well, but he was here when you were here. You knew what I thought of him.

**Bill Schultz:** Yes. I remember him.

**Judge Bryant:** He was the greatest.

**Bill Schultz:** I told you what I remember about him. It's just a little story.

**Judge Bryant:** No.

**Bill Schultz:** When I was here Judge Hart was chief judge, and they did some decorating in the judges' dining room and it was sort of fancy. We went in, and you and I had the same kind of reaction. We thought it was just a little bit silly. They had in there the lights that you could dim by turning them, so you could dim them a little bit. And Judge Fahy was really quite old at that point, he came in and kind of looked around. He was being very discreet. He looked around, and it was clear that he had the same reaction that we did. He didn't necessarily want to say anything because there were other people in there. Then he went over to the lights, and he kind of turned them down a little bit and watched them dim. He looked like it was something he had never seen before. He turned them back up, and then he looked at us, and then the only thing he said was, "I think children would like this."

**Judge Bryant:** He said what?

**Bill Schultz:** "I think this is something that children would like." I think it was kind of his comment in a discreet way on the whole project. That's my recollection of Judge Fahy, but I think it kind of captures the picture.

**Judge Bryant:** He was a wonderful, wonderful guy, and a hell of a judge. You talk about a giant. Charles Fahy, I used to call him whispering Jesus he was so quiet, but I understand he had a hell of a temper. I understand he had a hell of a temper back in his chambers, and then it would blow over, and everything would be fine.

**Bill Schultz:** Yeah, that he would even call to apologize.

**Judge Bryant:** Yeah, but I understand he had a temper. I never saw that. The only side I saw of him was a quiet, courtly, wonderful fellow.

**Bill Schultz:** Yeah, that's what I saw too.

**Judge Bryant:** The opportunity to know somebody like that, you cherish that opportunity.

**Bill Schultz:** When did you first meet Judge Fahy?

**Judge Bryant:** When he was on the court.

**Bill Schultz:** So when you argued before him, that was your first encounter?

**Judge Bryant:** I argued before him, I argued my famous case before him. I argued *Killough* before him. I argued *Killough* before him. I argued the case before him, and I think Danaher and Burger. I argued the case, let's say on October 1, 1960, and I didn't hear anything, I didn't hear anything, and after three or four months you expect to have an opinion. I didn't hear anything after four months, and I didn't hear anything after five months, and I wondered what the hell was going on. And then almost a year to the day I got word that the court sua sponte was going en banc, and I said I knew I was home.

**Bill Schultz:** Now, let me just get back to the Pentagon, because I don't want to cover *Killough* now. Did the Pentagon have segregated facilities?

**Judge Bryant:** No.

**Bill Schultz:** So when you were in Washington at the Pentagon you could go into the mess hall, or was there an officers' club?

**Judge Bryant:** I could go anywhere in the Pentagon. They didn't have an officers' club.

**Bill Schultz:** A PX?

**Judge Bryant:** I could go anywhere in the Pentagon. Let me tell you a story about the Pentagon. Bill Hastie was special assistant to the Secretary of the Army, and he was over there before I went on active duty. The Pentagon was huge, you know where it is, and the contractors got it together, and they were sprucing it up, even before it was being landscaped and what not, before the building was formally turned over to the armed forces it was in use. You know how these buildings were; they were pressed for space, and what not, so the building was actually being used before the contractors had turned it over to the government as being finished. They were doing landscaping, but the building was being used. They have a cafeteria in each wing of the Pentagon, and Bill Hastie, who was special assistant to the Secretary, went into the cafeteria and got in line, and a man pulled him out of line, and told him, "Sir, this is Virginia." He pulled him out of line, and I don't know what happened thereafter, but I know that happened. He pulled Bill Hastie out of line, and said, "Sir, this is Virginia." How about that? But when I went over there, the building was under the full control of the Army.

**Bill Schultz:** But when you went to the Army bases around the country, there were a lot of places you couldn't go? For example, the officers' club, or PX?

**Judge Bryant:** Oh yes, I went down to Camp Wood, Texas. The officers' club I went into was the officers' club reserved for the unit that Jackie Robinson was in, that tank Italian unit, and that was a barracks that had been converted into a little club.

**Bill Schultz:** And you were an officer. What was your rank?

**Judge Bryant:** At that time, at the time I went down there, I was a Major.

**Bill Schultz:** Now was that policy set by the commander of the base, or was it set in Washington?

**Judge Bryant:** Bill, the pattern of segregation in the Army was set, to the extent to which it could be ad-libbed, on a base-by-base basis. On an installation-by-installation basis, I don't think it was there. I mean separation in the armed forces was from top to bottom. For

instance, there was a time frame, and if a group of Black soldiers was available for assignment anywhere, they were assigned like this. A commander would be notified of the availability for assignment for a certain contingent of troops (colored), and asked, “Are they acceptable to your command?” The commander would say, “Yeah,” and take them on, but they would be treated, you know, separately. The segregation would still be there in the unit, but they would be in his command. They had some tank people that they allegedly sent Patton, and he was over there fighting Germans in southern France, and they sent him that message, “So and so available — are they acceptable?” Do you know what his answer was? “They got tanks?” That was the only interest he had.

**Bill Schultz:** But they slept in separate quarters?

**Judge Bryant:** Yeah.

**Bill Schultz:** Did they eat separately?

**Judge Bryant:** Oh yeah.

**Bill Schultz:** And they socialized separately?

**Judge Bryant:** Socialized separately, oh yeah.

**Bill Schultz:** Was there relatively little intermingling?

**Judge Bryant:** Very little intermingling. I've been on post after post. The intermingling was field-grade officers were white, and they commanded Black line officers, and noncommissioned troops were Black, and they were commanded by white officers, not white noncommissioned officers, but white commissioned officers. You would have a whole Black outfit commanded by all white officers, from young second lieutenants on up. There was complete segregation. You didn't have any Black soldier commanding any white soldier. You didn't have any Black soldier in a supervisory position at all over a white soldier. And I am surprised, to tell you the truth, I am surprised that you didn't have any more actual turmoil on the bases.

**Bill Schultz:** Yeah, I am too. I don't hear from you stories about protests, or incidents.

**Judge Bryant:** Not on the base, there were a lot of civilian people, I mean the NAACP and the Urban League and the various civilian organizations, kept pressure on . . . .

**Bill Schultz:** To integrate the armed forces?

**Judge Bryant:** Yeah, to integrate the armed forces, but at the same time, even they were discreet. There wasn't the militancy back of it, you know, there wasn't anything like we aren't going to fight, anything like that. Let me tell you this story that will illustrate to you the nonsensical nature of racial separation.

When we became actively engaged in the war you can well imagine that the services were dying for professional personnel, medical and dental personnel. You gonna have a war, you are going to have an army, you are going to have people get hurt. You are going to have to have health care. So the medical corps was dying for people, and were taking people, I think out of seniors in medical school almost into the med corps. I went to school at Howard University, and when I went there I took ROTC. In ROTC, when you graduated you got a reserve commission in the reserve officers corps.

I finished school in 1932, and of course I wasn't interested in any Army. I took the ROTC because I think it paid \$32 for three months, and that money went toward my tuition. So after I graduated I had no interest in the ROTC, but a lot of people, a lot of kids used to go to the ROTC meeting, or reserve officers meeting and that kept their commissions alive. Mine lapsed. When we got involved in the war, now, in the meantime, a lot of my classmates went to med school, a lot of them. I can think of six right now who went to med school and had their commissions, had their reserve officers commissions in the infantry. When they graduated and were full-fledged doctors, they sought to have their commissions in the medical corps. So then the war came, and the Army was crying for doctors. These guys who had reserve commissions in the infantry, who

were doctors, some of them practicing, sought to be commissioned in the medical corps, and they were not commissioned in the medical corps because of segregation.

**Bill Schultz:** So they did not practice medicine in the Army?

**Judge Bryant:** No, no. I know two or three guys who did that, and ultimately they assigned some guys to an all-Black unit. There was a boy named Clarence Lewis who was a dentist, he operated as a dental officer there. I don't know who the medical officer was. But there came a time later on, very late, that these people were assigned to the medical corps, but they operated with separate units.

**Bill Schultz:** Let me ask you this, you have talked a lot about segregation in these interviews, and I have heard you talk about it over the years, and I never detected any bitterness that you feel, the way a lot of other people really are very bitter about their experiences. There must be something in your background that allows you to deal with it without that sort of hatred, bitterness and resentment. I've always felt that you felt very strongly about it, but that it didn't really interfere with your ability to do your other work, and your life and so. Do you know why that is?

**Judge Bryant:** No, not really. I don't know. I just don't know. I've worked against it, I worked against it actively, and what not, and I didn't like it, and I recognized the inequities involved. I guess maybe I personally was, no I can't say that, because I was personally hurt by it once or twice. I mean I've worked in organizations where my supervisors were white, and rather unintelligent, and not well trained, and that was purely on the basis of race. I suppose it didn't bother me so much because I never found myself at a terminal. In other words, I never found myself in a situation where I thought I had to endure this situation for any period of time.

I was always whistle-stopping you know, as a youngster working in various menial jobs and what not. I always figured that next year I would be on my way. And so I guess I have been fortunate, I have been very lucky really, and I met, and I guess this is true of a lot of people, I

met so many people who were as much concerned about it as I am, white and Black alike. And I think that kind of drains off some of the bitterness, I guess, I don't know.

**Bill Schultz:** What about Ralph Bunche?

**Judge Bryant:** The same thing. And, of course, he was a unique character. I told you about him. He seemed to rise above everything. He was as aware and concerned about segregation as anybody in the world, wrote some of the most trenchant stuff about it, and was outspoken about it. You know he had phlebitis in both legs. He had always been kind of frail physically, although he never let it stop him from doing anything. As a matter of fact, when King had that march from Selma, Alabama, Ralph Bunche was right in the front row of that march. He marched across that bridge, and he participated actively in that. He was keen on any opportunity he had to strike against racial prejudice. He was very keen on it.

At the same time, he was something of a phenomenon, something of a unique animal. For instance, I told you of the role in the OSS, in the guides of North Africa and guides of West Africa. The United Nations is his brainchild, that was his goal in life, to create a viable United Nations. And he found himself with people like U Thant, and a lot of people. I went to Paris, and I was over there working, and I found out he was going to be in Paris for three or four days, and that he would like to, you know he was a billiard player. He was just a likeable guy, and he arranged to meet in Paris. He was in Paris, and who was he with? He was an advisor to James Byrnes, Jimmy Byrnes from South Carolina, who was secretary of state at that time. He was travelling with him, and I asked him point-blank, I said, "Pops, you are keeping strange company, how do you manage that?" And you know what he told me. He said, "He needs me more than I need him."

So he had a charmed life. I wasn't in his category. I wasn't in his class, but Bunche, even the bands of racial hatred couldn't contain him. He was an international citizen. He was something, and if you would meet him in here right now, you would never think it. You would

spend 15 minutes with him, and he would go out, and you would be impressed with him, you would say, who is that? He was something.

**Bill Schultz:** Did you keep up with him through his life? I mean stay in contact with him?

**Judge Bryant:** Yeah, of course, he moved to New York and I was down here.

**Bill Schultz:** He moved to New York when, after the war?

**Judge Bryant:** After the war, his work took him there. He left Howard, and went to New York to work at the United Nations, and he did some work. The heads of state were people he dealt with day after day in that Middle East stuff, and Israel and what not. He was just at home, just like I deal with these law cases, he was dealing with that kind of business. Everybody loved him, everybody respected him.

**Bill Schultz:** When did he die?

**Judge Bryant:** In 1971. He was a hell of a boy. Yes sir, that was a sad day for me. Jane, his daughter, committed suicide, she jumped out of a window. The United Nations was his thing.