Interview with Henry Sawyer  
October 19, 1976

You ask me about my childhood and where I went to school — I went to Chestnut Hill Academy. Started in the first grade and went all the way through there. In fact I was a boarding student for many years when they had a boarding school. My mother was a widow and she thought probably it was a good idea for me to have some male supervision and I used to be a border and came home weekends. And I went to Penn, where I was active in the paper, the Daily Pennsylvanian, and I was a member of Zeta Psi fraternity, but I was certainly not politically active at all.

(WMP: Of what class were you a member?)

I was graduated in 1940. I decided to go to law school without being one of these people who always wanted to be a lawyer. I really wasn't sure what I wanted to be. The only thing I had ever been really good at was getting good marks -- I was a junior Phi Beta and one or two in the class. I applied for and got a scholarship to law school and started in in the fall of 1940, but the war was impending of course and I went into the navy and went to midshipman's school in the summer of 1941 and I remember being late for midshipman's school because my last exam and my first year law school sort of overlapped. And then I went on active duty. I was overseas at the time of Pearl Harbor in Brazil -- I was on an old navy ship in the South Atlantic and I stayed on it for about three years. I got to be exec of that ship -- got a spot promotion to Lt. Commander because the exec they had sort of went bananas and tried to shoot the forward sentry because he didn't salute him and they had to get rid of him. They pushed me up and made me exec, which on a navy ship is second in command. Then later I got command of a sea plane tender in the Pacific and I was out in the Pacific but really very little in the war. After fiddling around there I finally brought that ship back -- I was still a Lt. Commander and I was in command of this sea plane tender. We had about 214 men and 14 officers and we brought it back to Boston and decommissioned the ship and I went back to law school. I finished law school -- I was on the review -- I finished law school, got married about the same time to Grace Price Skell (?), and I forthwith joined Drinker, Biddle, and Reath. I would say that I was not particularly interested in politics. I always had some interest in
international matters but very uninterested in local
government, which just from reading the papers during the
'30's and S. Davis Wilson and all that stuff just seemed
to me a terrible mishmash. Housing was hard to get for
people who were married in about '47 and we ended up
through Mr. Skull in a marvelous little row house on
Appletree St. between 20th and 21st -- between Arch and
Race -- in a somewhat sort of shabby neighborhood. Had
a lot of retired people, city workers, and the like.
Part of a long narrow ward called the 10th ward, which
ran down into the tenderloin right down to about 6th St.,
again between Cherry and Arch.

I was registered Republican. So was Grace. And we went
to vote in the primary in the Spring of 1947 and Grace
in effect got her vote stolen. The machine was a different
sort of the type they use in Chestnut Hill, where they
use the chute machines. And she didn't understand it
and the committeeman breezed in and said, "I'll show you
how it works" and she thought she was being shown, but
he had closed the curtain and he was voting. And she
came back in an absolute outrage and I went back down with
her and there was a tremendous fuss about it. I knew nothing
about how these things were controlled at the time.
I remember the local boss was Magistrate Costello and
they summoned him and he came around in a big Cadillac and
a gray fedora and he said "I can't imagine how this could
possibly have happened in my neighborhood." And of course
it was standard practice.

That got me interested in municipal reform. It's as
simple as that. By coincidence, Elkie Wetherill tried
to get me interested in Dilworth in the summer. We were
down at the beach in Bay Head, and he said, "You ought
to get interested in this guy, Dilworth." So I did. I
wandered down to headquarters and there was a young guy
a few years older than myself, who had been a major in
the Air Force who was kind of second-in-command of the
City Committee and his name was Jim Finnegan. He was
used to a lot of people trooping in and who were a part
of the law school and lived in the Main Line and he was
overjoyed to find that I lived in the 10th ward. The
situation in the 10th ward was pretty bad. They had out
of the nine divisions only about 11 out of 18 possible
elected committeemen and out of those 11 only half were
pseudo-Democrats, the system of course being that people
were moved, their registration was changed to Democratic,
and then they were elected by the handful of Democrats,
mostly controlled city committeemen. And they did the
same thing with election officers. So you really had a
one-party system, even though there were nominal democrats.
So that led to my manning the polls with a watcher's certificate. A polling place at 20th and Arch, in the old St. Charles Hotel. And I had with me the election code and I thought that we'd have some help from the minority inspector and the minority clerk, but it soon became apparent that they were really Republicans and my efforts to stop the illegal assistance and the like -- they were at least as hostile and I was threatened with arrest and there was a lot of turmoil and I realized that there was nobody else in there -- the rest of the people were not really Democrats at all. This was the ward then controlled by Billy Mead and Costello was the boss at that end of the ward. He was a magistrate. He later went to jail. I think it was one of the two or three successful magistrate prosecutions that Mike Von Moschzisker handled when Dick was District Attorney. It may have been later than that, I'm not sure.

I could go on endlessly about the 10th ward. It was a fairly tough ward. East of Broad St. where you had some real racket types in with the Republican party. Louis Ripka, Lou Kimmelsman, people like that. Ripka was later involved in that shooting at the Minerva Hotel that had a lot of political overtones. Billy Mead got wounded. And they were totally controlled people. They would roll in 426 to 6 -- that kind of vote. I remember one time I talked to an assistant of Louis Ripka's -- and I said there is a federal committee coming up -- Stennis came up to kind of give a boost and have some hearings because the federal election was coming up and there was so much corruption in Philadelphia. It didn't faze these guys at all. I couldn't get anybody to man the polls down there. And he said, "Look kid, I'll tell you what I'll do. How many votes you want? I'll give you a dozen." And lo and behold he turned in 12 Democratic votes, which I consider real control.

I was in the polls and later on I got beaten up on the way back to the Democratic City Committee -- not really badly, but I got a fat lip. I had a lot of records of who had been assisted by whom, which I carefully kept. And there were a lot of things that happened. I had to get Judge Gordon to stop me being arrested and a whole lot of things like that. It was a long day. In fact, I urinated in a milk bottle behind a closet door because I was afraid to leave and people brought a sandwich in because I thought that as soon as I left they would just bring these people in by the dozens. So on my way down about 19th St., I crossed under the Chinese Wall and a couple of guys jumped out and whirled me around and one of them missed me with his fist but hit me with his elbow and I had a bloody lip.
Then we sort of got into the thing. Coming up for the next election, which was Dick running for Controller and -- no, Joe Clark for Controller and Dick for Treasurer, which was the fall of '49. I remember we spent a lot of that summer, particularly Grace -- Grace pounded the doors in the upper end of that ward and she took I think 650 strike-offs which she herself signed. And they thought she was a city worker or something. She was rather businesslike and she would ask if so and so lived there and they would say, "Well, he hasn't lived here for 10 years." She would go to a relatively small row house and there would be 20-25 people registered there. You couldn't possibly crowd that many people in there. In the flophouses in the tenderloin of course they had them registered by the '50's and 100's and that's hard to tell because you can put an unlimited number of people in there. But these were family houses.

Dick and Joe won that election and you could see the efforts beginning to take hold of the volunteers. The problem always was that the people who were in those days motivated a good bit were not spread out geographically throughout the city. The criticism that was often made of what Joe and Dick should have done, as if you did it with the wave of a hand, was to "take over the party machinery." Well I'm not just sure how they could have done that. The types that were interested, law students and that sort of thing, upper middle class, whatever you want to call them, were not spread around. And you depended, therefore, on what was left of or what you could build into a Democratic organization. In many areas, of course, there wasn't really any. We all know what a remarkable piece of work it was. I suppose from that standpoint Jim Finnegan was the main one.

I got elected Committeeman over there. That was easy enough. I was really acting ward leader because there wasn't anybody. I had no such experience, but I had enthusiasm and Jim Finnegan just sort of anointed me. He said as far as you're concerned, you'll be acting as a ward leader there. And then Mike Saxe did it for a while and then Morrie Osser sort of took over. We're now getting on towards the early '50's.

(WMP: (How did you do in '51?)

Let me explain that to you, Walter. I wasn't here. First place, I was never involved with ADA and I never was in on the inner circle, the group of people that had so much to do with this. I simply worked here in the vineyard and what happened was that I got recalled in the Korean emergency and so I wasn't even here. And I went to the North Pole on
an expedition. And then I joined Lou Van Duser as a civilian, as a foreign service officer. My senior partner, Louis Van Dusen, was the second ranking official in the U.S. delegation to NATO. Lou had the rank of minister. And Spofford was the head fellow with the rank of Ambassador. And he also sat as the Chairman of the NATO Council of Deputies. This was the civilian governing body of NATO. Not the military part. They sat in London. So I left the navy after about six months. This naval expedition to the Arctic was over and we were back in Norfolk, sitting around. And Lou really got me out of the navy, insisted on my coming over there and I came over as a Foreign Service Officer. And Grace and I spent two years in Europe.

I had joined Drinker, Biddle, and Reath directly after law school in 1947 and -- in that time also, by the way, I was temporarily an assistant deputy attorney general in the O'Malley trial. And that was headed up by Larry Eldrich. Eldrich had two assistants -- if you can imagine an odder combination and that was Bob Kunzig and Henry Sawyer. Bob Kunzig later became counsel to the House Committee on Un-American Activities and I had several witnesses before that committee who were pleading the 5th amendment when Bob was counsel. In fact he indicted two of them.

So I was in Europe. First we spent a year in London and then I was transferred and became Deputy General Counsel of a new organization called Special Representative in Europe, which had both NATO and the Marshall Plan, headed up by Draper. So I missed Joe's election to Mayor and Dick's to DA. I didn't get back until late Spring of '53.

The only other thing that I did in-between was that when Joe was Controller, just before I was recalled, and Ray Bradley was his First Deputy and they were short of funds because the council was still controlled by the Republicans -- he tried to get some voluntary help and I did a study of the traffic court and we put in, via the Controller, the first of the more or less computerized systems. What I did was get a hold of IBM. I spent days up there. It was the most unbelievable shambles. The reason I got into the thing was because fixing a traffic ticket was one of the main charges against O'Malley. Mass fixing of traffic tickets, so I had some idea of the way the mechanism worked. And at that point they had a very good fellow that they had sort of cleaned house up there to some extent and the police part of the ticket thing was being run by a fellow named Al DuBois.
DuBois at that time had the rank of about a deputy inspector. He finally became at one time second in command of the police department. He later went into the CIA in Thailand. He had been a Major in the army.

So then when I came back Joe was in office and the revolution had taken place and all of that I just missed. And I started getting involved in civil liberties cases and the Communist teachers and all that stuff.

The next thing that happened in the political sense -- this is a very ego-oriented thing I'm giving you -- but I just got a call one time from Dick. Remember, I was not ever in the sort-of inner reform cabal or reform mafia that really put this thing over. I wasn't a member of ADA. Dick called me and said, "Why don't you run for City Council?" And Joe called me. I really hardly knew Joe Clark. It was part of a kind of a deal that -- remember at one point when Joe threatened to run and all that kind of thing -- and part of it had to do with whether the Council would be totally controlled by the then nascent and emerging organization which was getting of course more powerful and the idea was I think that they would have a couple of people who would have a sort of reform or young image outside of the party structure and Connie Dallas was running for a second term and I was to run as one of the Councillmen at large and in those times I think Harry Norwich and Marshall Shepherd were considered to be not just directly in the line of power such as Johnny Burne and Paul D'Ortona and people like that. And so I was elected. There wasn't any problem because I had the endorsement. Now the only thing that happened there which might be interesting as a matter of history was that Jack Kelly, who by that time had become an arch McCarthyite, protested my being on the ticket very heavily because of my proclivity to defend Communists and in fact he never did become reconciled to it, but the first thing that happened was that he demanded a meeting in Bill Green's office. It was kind of a security meeting with Bill Green presiding.

So in comes Jack Kelly with Jim Tate, who was just a nothing. He was just sort of a handmaiden. And John Capatola. John Capatola was then the head of the Americanism Committee of the VFW and a very noisy McCarthyite. And then Dick came along with me. And Bill Green. And I had perhaps shaken hands with Bill Green -- I don't think any more than that. One of the things that amused me was that Jack considered this a matter of overriding importance -- that the Democratic party that he loved was putting on the ticket somebody who, if not a Communist, was certainly a sympathizer. Bill Green wasn't going to take it seriously. The deal had been cut and he didn't think I was a Communist. Drinker, Biddle, and Reath probably harbored very few Communists. Anyway, he just sort of took calls the whole
He sat there and would have a 20-minute phone call. Bill Green was always on the phone. And things just sort of collapsed into nothing. I remember at one point Jack Kelly said -- Dick said -- "Well, this is the system. Lawyers are supposed to defend everybody."
And Jack said, "I can understand that. I wouldn't hold it against a guy to defend a murderer, but when it comes to the national security, then you ought to draw the line."

And Dick said, "I've just been reading Vachinsky's book, Jack. And you have just enunciated exactly the entire theory of Soviet law. That you can get a perfectly good defense if you are accused of stealing a bottle of vodka but not if you are being counter-revolutionary."
I don't think Jack got it at all. And then Capatola started in. And he started screaming and shouting. And he finally was pointing his finger at Dick and was saying, "I had to go before the VFW to persuade them to support you after some of your pro-Communist statements."
And I could see Dick getting redder and redder. And finally he stood up and he got a hold of Capatola and he said, "Listen you little tin-horn Hitler. I don't need your vote or the VFW's either." That was a typical outburst. Partly for show. Afterwards he sat down and looks a little sideways, as much as to say, "Well, I terrified him." I always thought that those temper-losing things of Dick's were partly show. But they certainly could be overwhelming.

In fact, Jack then ran his son-in-law, De Vaughn(?), against me, but it didn't amount to anything. He didn't get any votes at all.

It just didn't become an issue. And I think it might have in other cities. You see by this time I had been in a number of these things -- I have to explain. There was a huge flurry about the school teachers here and maybe the city lost its head a little over that, and these things were always televised. These were hearings usually before the House Committee on Unamerican Activities. The lawyers would look very sinister because you are always leaning over and whispering to your client, and then he pleads the Fifth Amendment and the whole atmosphere was hard to believe. And in the meantime you had the Inquirer under Annenberg just hammering away -- both papers were bad on the issue, but the Inquirer particularly was absolutely wild on this thing. Then there was the Mrs. Knowles case -- she was the Quaker librarian -- and that received a tremendous amount of publicity. And another case involving a guy named Deutch, who was a professor at Penn. And those cases went to the Supreme Court. I'm trying to say that there had been a lot of publicity about me representing those people.
And a friend of mine in Boston said that it was incredible that I could even get on the ticket with that atmosphere. I think Philadelphia, by and large, kept its head during that period more than most cities.

I ran in the Fall of '55 -- Dilworth's first term. Dick running against Longstreth.

Now politically, I can say something other than just chatting about myself. This was a period in which the organization consolidated its power. Connie Dallas was defeated for the District Councilman by Wilbur Hamilton and so you lost that independent vote and Wilbur would play any kind of game. She was defeated probably mostly because of Jack Kelly, having to do with the tremendous issue of whether trucks could be on Henry Ave., in front of Jack Kelly's house. He was against her and Wilbur put up the fake notices about the incinerator. In three places in Roxborough there appeared on Sunday night things that look exactly like those yellow official posters for zoning changes. All printed up the same way. One was for a housing project and a couple were for incinerators. She never caught up with this. She only lost by I think 312 votes in that district. And they traced those posters to a job printer in Trenton. But they couldn't trace anything further.

Anyway, you had a situation in Council where you really didn't have enough of an independent block that you could do an awful lot with until the second charter ripper came along. The only difference between the first charter ripper under Clark and the second one was that the Mayor was sponsoring the second one, or at least had agreed. So you had this bill going through to amend the city charter in such a way as to provide for a certain number of patronage jobs. There was always a disagreement about how many, but maybe somewhere in the neighborhood of less than a thousand patronage jobs would be taken out of the charter. The Republicans decided that they would vote against it. We had had one death at that point and that was a fellow from South Philadelphia -- he was only in the Council for a few weeks when he got quite desperately ill. Walter Pitkell. So they were one vote shy for the two-thirds majority in City Council to pass this thing in order to get it on the ballot for voter approval. There were two other charter changes proposed at the same time which weren't necessarily too bad. One we may have to face again, and that was to remove the provision that you had to resign to run for office, which I think is out-of-kilter with American politics, but it is in the charter. So they needed my vote. And Bill Green called me over and was very gentlemanly,
no undue pressure, and he said, "Henry, you ought to vote for this. Dick's for it. The party is for it." And I said, "I just can't do it. In the first place, I think it is wrong, but I can't do it. I went all through the city when I was running and everybody asked me that question and I always said that in no circumstances would I vote for it. I wasn't deceiving you because I said that to ward meetings before the primary." And that was it. He didn't put any more pressure on me. Well, he did say, "Look, there's almost no place you couldn't go in politics. I think you have to think awfully seriously about whether or not this issue really is that important so that you want to take a position which is outside the mainstream." But no threat of any kind. In fact, personally I always got along with Bill Green.

So what happened was, they got Tom Foglietta's vote. I don't know what they promised him, but he defected from the Republicans and the thing passed by just the two-thirds majority required and was about to go on the ballot and I think without any question was about to be defeated when the Supreme Court said that for some reason the whole thing was illegal. And so it never got voted on. And the mood of the people at that time, I think it would have been defeated overwhelmingly.

In the Council I watched Jim Tate, who was very unsure of himself. Now you see, Jim Finnegan had gone on -- he hadn't died yet, he had gone on to the State government under George Leader. Bill Green had taken over the party. Jim Clark was the hard-bitten fund raiser and he shook everybody down for the party treasury. And Jim Tate was just beginning to feel his way and very much under Dick's dominance. Dick dominated Jim Tate tremendously. Jim just was in awe of him -- he just couldn't play in Dick's league. However, in the course of those four years, almost every change that took place in the Council was a change in which somebody who was perhaps quasi-independent would be replaced by somebody who was absolutely a total captive of the machine. A guy like Charlie Findley, for instance, who I wouldn't label a raging reformer, but was still an independent force with his own power base. Charlie died and was replaced with -- I think it was Toll. And he didn't do anything. He just took orders. So you really didn't have anything much there. Sometimes Harry Norwich would stand up pretty well, but he was getting older and he wanted his pension and he wasn't really inclined to fight much and if you needed him enough and pushed him enough, maybe Marshall Shepherd. But Marshall was a fantastically lazy man and just didn't like to fight people.
I mean, if you had a block of people so that Martin could be a part of it, his heart would be in the right place. But leading some fights in the lonely position of just two or three councilmen, you couldn't figure much, and Raymond Pace Alexander would always collapse. I mean, Raymond Pace would collapse regularly, even when issues involving the Black community were involved. If he got orders from the city committee one way and the Black community's interest was the other way, he went with the city committee. Raymond was a terribly amusing guy and in his own clownish way a very likeable fellow and one can't help but admire anybody who went through Harvard Law School by carrying bags in the South Boston station but the fact of the matter is that although Sadie was always a fighter Raymond just wasn't by that point. Raymond wanted to be a judge and he knew that you get to be a judge by going along. So he just wasn't of much use.

Tom Foglietta, by the way, could have been a tremendous effective -- he was elected to City Council at 28. But he wasn't very smart and he never did any homework. He was just lazy as could be. And I used to try to feed Tom Foglietta stuff that should be brought up, particularly in budget hearings -- but I didn't always want to be in a position of in a sense fighting the administration on some of these things because basically I felt that I had to take Dilworth's position on the political things in Council. And Tom just wouldn't do anything with it. He wouldn't do any homework. He could have carved himself an extraordinary niche as a gadfly and dissenter in the City Council, but he never did.

And old Louis Schwartz was still there -- one of the other Republicans and he was kind of over the hill and Wilbur Hamilton was a games-player from way back, so you didn't have much on the Republican side of the aisle to deal with. And then it became more and more obvious that what was happening in City Council was that -- this was a period of building in the Northeast. You had the big builders putting up tremendous acres of houses, particularly in the Northeast and the arrangement on the graft was much more subtle and a great improvement over the Republicans. In the Republican regime you could pretty well buy the legislation you wanted to, whether it was good, bad, or indifferent. Say with zoning, for instance -- the years when the oil companies could put a gas station any place they wanted to put it. Look how they ruined Green Street. There's an example -- they just stuck gas stations every
couple of blocks and it's the beginning of the end of what had been a beautiful, handsome street.

I never saw that in the Council when I was there. I With the exception of one bill in Roxborough -- I know I was in the majority -- I don't believe there was a single zoning change passed that not only didn't have the approval of the City Planning Commission, but the staff of the City Planning Commission. And although the planning commission in that era was not totally insensitive, some of them, were not totally insensitive to political considerations, I would think the staff of that era was absolutely uninfluenced by that kind of thing, even though Ed Bacon always knew where his political bread was buttered. But the way they did it, you see, was to not pass bad bills for money but to refuse to pass legislation that was perfectly proper and to which the people, so to speak, were entitled to and which had been not even much neighborhood opposition, until the money was paid.

On the zoning change itself, or even often more likely because it was less noticeable, on streets and sewer bills that had to follow routinely after a change that would allow development -- these bills would simply sit after the committee hearing and cases where there is no public outcry -- often politically there is a reason for holding a controversial bill that really out to get passed, when there has been a public outcry, hold it for four or five months and then you pass it on some rainy thursday and who notices. But these weren't that category and I began to notice that we have this typewritten rundown sheet in the caucus and the Democratic caucus would meet -- City Council then met at 2 or 2:30 on Thursdays and we would have lunch usually and meet no later than 1 to go over legislation. Everything that happened in City Council was done in the caucus. It was very rare that anything happened on the floor.

I was given an innocuous committee -- I was Chairman of the Committee on Public Health, which was interesting and we had Jim Dixon and it was a very damn good department and I was trying to be instrumental in getting a new morgue. But it wasn't a power committee.

These bills would be on and Jim Tate would preside over the caucus and there would be just dozens of them and he would simply go down and they would just simply say, "not ready". Often they would say the arrangements haven't been made. And Jack McDevitt came in and became the Chairman of that committee. Jack had simply been a kind of clerk
sort of assistant to Jim Clark. And a nice fellow. Very quiet guy. And when the Grand Jury investigation came along he became a monk. He entered a monastery, which I think was fortuitous. But this was the later investigation that came after '61 or '62 when Fitzpatrick tried to blow the whistle with the grand jury investigation. The time Dick went in and cried -- I wasn't directly involved in that. But I told these guys -- "Look, everybody knows what you are doing. The going price is about $2500 to the City Committee," And then a law firm like this would run in the other direction. I remember we had a client here that wanted a street taken off the city plan that had never really been opened. Of course everybody was trying to save the businesses leaving the city and of course -- and I called up Jack McDevitt and said, "Jack, why don't you get this bill through?" And he says, "Henry, you know what has to be done. Just tell your people to go over and see Jim Clark." But they wouldn't do it. I began telling these guys, "Look, I like you guys. And you are heading into trouble. Everyone knows what you are doing. There's going to be a grand jury investigation sooner or later and some people are probably going to go to jail." Well, nobody did. But that was the system and I had the impression -- I was sort of on the outside looking in on it -- although I told them several times in the caucus and I made no bones about it. I would take a particular bill sometimes and say, "This bill has been on the calendar for two or three months, there was no neighborhood opposition, it's an absolutely routine bill, it has the approval of everybody on the staff, and you just said the arrangements haven't been made. Now I want to know -- what arrangements?" And I knew perfectly well. There would be this embarrassed silence. I just tried to raise it every way I could before I went public with it. I went public with it in the Fall of '59, at the GPM dinner. I think I might have been the first person that ever really said from a public platform that the City Council was selling legislation.

The control was so tight then and the party was so strong and the discipline was so good, that with the possible exception of a couple of councilmen, and here I think I will not mention names because this is a personal thing and I don't have evidence of it, who maybe skimmed off a little. That control was tight and that money was paid to the Democratic City Committee. Not private graft. I heard of one instance where Jim Clark got something and that was the property at School House Lane and Gypsy Lane and I was surprised to
hear it because my understanding was -- he was a rich man, anyway -- he had come up the hard way through the trucking business and he was a very ruthless, tough baby. But money went to the City Committee.

I once talked to Jim Tate about it and he said, "Henry, what's the matter with it? Nobody's stealing money. This is the most honest regime for 100 years." Well that statement I don't have any doubt was true, including the whole City Council -- even the worst of them -- I don't doubt that statement. It was very hard for me to try to get Jim to see that there was anything wrong with it. He said, "Look, we have to build up money because the Republicans have all the big corporations and the Pews and we can't fight elections against those guys. And nobody's stealing anything. That money is accounted for in the City Committee. Every penny." It's going to the institution, in other words, rather than individuals. And I think in those days as far as I know with an exception or two, I think that was true. I think that's the way it did work. I don't think they were being banditized the way the Republicans did when after the oil companies would pay the Republican City Committee for a gas station they found they then had to pay the Deputy Clerk and a couple of Chairmen of Committees. It was never over.

Dick knew about this, but it put him in an impossible position. That's why it was so clever, because there was nothing to veto. I mean if somebody sticks in a stinker of a bill, a real clinker, and they push it through with graft and it is a bad bill, it's going to change the zoning of Fairmount Park in order to put up high rise apartments, the Mayor can veto and he can make a big noise about it. But what is there to veto? These were perfectly proper bills -- part of the normal expansion of the city. So Dick didn't have the veto power over this. I know two occasions that Dick tried to get businessmen to blow the whistle. One of them was a prominent fellow in this town, whose name would be very familiar to you, who was the head of a large oil company based here, and the oil company wanted to put a pipe line which would go across a little corner of the airport property. And they were held up for X dollars to the political party. And I know Dick talked to this guy and said, "Here's a perfect chance. They just openly said they wanted so much money. And there were witnesses to it." And the response of the President of the oil company was, "Look, we do business in every state in the union and 67 counties of Pennsylvania, and if we do that we would be out of business because these guys stick together and we wouldn't get anything in Bucks County, Montgomery County, or anyplace else even though we only blew the whistle on Philadelphia politicians."
So Dick really fought a long, and I think extraordinarily skillful rear-guard action, allowing concessions in order to get the essential program through, because on top of the political aspect you had the so-called economy block, in Council headed by Victor Moore, who were trying to -- really a Republican philosophy of budget cutting, particularly anything like the welfare stuff -- that aspect of city expenditure. Secondly, he was able to pretty much (almost entirely for that four years) keep the appointed authorities out of the hands of the real pros. The politicians. They had the City Council and they wanted some of these agencies and we now can see today that that is where the real skullduggery can be done. After all, in things like purchasing supplies in the city, that stuff is all hedged about with all kinds of bidding. You can't monkey with it, but where you've got an authority like the Redevelopment Authority, the important decisions on which are judgmental maybe even aesthetic on intangibles and not like a low-bidder thing the opportunity, of course, is tremendous. And that's true of the Planning Commission, the Redevelopment Authority, the Parking Authority -- all these authorities. And we see what's happened to them since. And he was able to keep those pretty well staffed with pretty honest people. Maybe not completely. There's been some things that you could question back in those days.

(WMP: May I interpose a question -- there have been a lot of non-profit corporations created where the members of the Boards of Directors are partly appointed by the city and partly by the Chamber of Commerce. Do you know whether that has worked all right or whether there is hanky-panky going on in those agencies -- because they are not under Civil Service? The Old Philadelphia Development Corporation, the Food Distribution Corporation, the Industrial Development Corporation, etc.)

I don't know. The Food Distribution Center is an example of one of the things that almost didn't get through because Greenfield was against it and Victor Moore did whatever Greenfield told him and he led a great fight in the Council because of course like every other project the public equity amount that went into it was much greater than the planners had visualized. But can you conceive of what the city would be without the Food Distribution Center? It was a totally destructive and negative thing to fight that. You had to get rid of Dock Street or you couldn't have Society Hill. Society Hill is of course maybe the crowning achievement of that particular term of Dick Dilworth.
I would say the most successful urban renewal project in the country and it is just amazing how successful it was and I even remember when we toured down there you really had to have some skepticism as to whether it was going to fly. That area was badly deteriorated.

(WMP: To what extent was Jack Robin important in the success of Society Hill?)

He was always around and Jack was a terribly bright guy. From where I sat in Council the impingement was to getting Council to finally go ahead with that thing was more Bill Rafsky by far. I think Bill was a man who had much more clout and stature then than he does now and he had a tremendously persuasive way with the Council. You might not think so, but I think they thought he was brilliant and able and they trusted him. And he was. There was a bloc against Society Hill enabling legislation. And like a lot of the things that these fellows do -- they're not all wrong you know. Paul D'Ortona and Doc Colin-Kevitch were just holding that thing in one of the committees because of the plight of the Polish barber. We always joked about that and there was a particular Polish barber down there and the plight was what do you do under the old rules for eminent domain with small businesses. Because to pay the guy -- for what? What do they pay them for? He may even be renting and if he owns the property, the property itself isn't worth much but his business is worth something. Of course the law has been changed now to allow for that and that was a real hardship then. And these guys were right. They not have expressed it well and they may have been against it for other reasons, but they were not going to move that thing until somebody did something about these fellows who were little corner stores, barber shops, and the like. And that meant to really needle the Redevelopment Authority to relocate them in other places. By the time I was at the end of my time in City Council I was getting kind of funny stares from the ADA types because I was beginning to fight some of these. Society Hill didn't displace any number of people to speak of, but the stuff that Temple did around North Philadelphia was unbelievable. They just put bulldozers in and knocked the whole neighborhood down. The human cost was tremendous. The assurances of the Redevelopment Authority -- they would say we have six offices to relocate people. I didn't give a damn if they had twelve. And I know at one of the budget hearings I got into a long argument because the information I was getting -- some from the Black community -- was that there wasn't anyplace to put them. Sure they had six offices but where were they going to put them. So you just spread out that density and ghettoize by overcrowding the areas around it. You never could do that today. There would be no way with the consciousness you now have in the Black community that you could do what they did up there in the '50's with a bulldozer. And where were the Black members of Council?
And the kind of deals that Dick made -- and when I say "deals" I'm not speaking of specific deals but the kind that were made were that these huge projects -- Center City and that part of it, including what is now called Dilworth Plaza, Society Hill, North Philadelphia, these big things, had to be accomplished and as a result of that the organization got some gravy in other areas where you couldn't control anywhere, so be it and I'm not sure he was wrong. In fact that West City Hall plaza they tried to take out of the budget. It was a year in which we were cutting out some neighborhood stuff like playgrounds and skating rinks and it was very late at night when this thing came up -- nobody was there from the administration except the finance people but there were no program people there and Jim Tate said, "Let's just push this back four years and you can get your playgrounds back and your skating rinks" and so on and the councilmen thought that was a great idea. I remember calling up Dick and he came racing up from home to the caucus -- maybe 2 o'clock in the morning -- because that was the last day. If it was going out of that budget it would be another year before you could get it back in again. And he talked them back into it again. He was talking about how you can't have a city without a downtown and how it increases the real estate values around the square and all that traditional planning thinking to which I think there is some merit and of course it has taken all these years now to finish the thing.

(WMP: Tell me a little about Jim Tate and his Presidency of City Council?)

He came to be powerful and ruthless toward the end of that four-year period, but not effective. Jim Tate was a weak man. He was unsure of himself. His petty vindictiveness, and he had a streak of that, grew out of being quite unsure of his own abilities. He was a little guy, that's all and he wasn't really able to cope. And I think that's what he was as Mayor. There's a world of difference between Jim Finnegan, who was President of City Council and a totally different kind of guy. Jim Tate was not an effective leader. He was really only a surrogate for Jim Clark and Bill Green. He didn't himself run anything. He was at the other end of the telephone to the Democratic City Committee.

I remember one time we had -- my pet project was to get out of the budget appropriations for Civil Defense. The city was wasting hundreds of thousands of dollars a year to provide jobs for Jim Tate's friends or whoever it might be, for a Civil Defense program. This was ludicrous -- a local civil defense program. The whole thing was ridiculous. Nationally, it was a scandalous fraud. But at least we had the position of unless the federal government began to take it seriously, why should we? I just did this as kind of a caper. So one time in the budget, one year, and it may again have been the fall of '59, lo and behold among the people who just happened to be there, I got a majority vote. An appropriation
for civil defense came up and Jack McDevitt was mad at Jim Tate about something. And there were some other people and it was after midnight in the budget hearings and so I said, "I move that item 163 or whatever it is would be deleted in its entirety." It passed. And Jim Tate got absolutely wild because it was a job for his friend. He lost his temper and he started screaming and he said, "I'm going to have to answer to Bill Green for this." And do you know what he did? He called Bill Green in the Virgin Islands. I don't think Bill Green cared that much about it. And I remember saying to Jim Tate, "Are you the President of City Council or are you a messenger boy at the other end of the telephone? The vote has been taken." He was going to get all the councilmen on the other end of the telephone -- the ones that voted for the motion and it absolutely terrified a couple of them into changing. And anyway the appropriation stayed securely in the budget. And I said on the floor, "You would really accomplish more with this appropriation if you took that number of $1 bills and scattered them from the top of Billy Penn's hat on the population in general instead of a couple of friends of the President of City Council."

(WMP: What about Paul D'Ortona? What kind of a Councilman did he make?)

Paul was -- it's hard to characterize Paul D'Ortona. I was not there when he was president of City Council. He was an important councilman when I was there and Paul had some qualities of leadership. Paul was very very authoritarian and fascist minded. Very much so. He was a law and order man really way back before it got the kind of current popularity that it achieved with Nixon and so on. He believed deeply in the police and really thought that the police could solve our problems if you let them solve them and didn't hamper them. For some reason I always got along personally quite well with Paul but I didn't see him in his leadership position as head of City Council so I can't really -- to me he was just a fairly powerful Councilman with strong South Philadelphia roots and backing. As opposed, for example, with Tommy Giordanno who was not. Tommy was in there for a term and he didn't have any role at all in Council. He wasn't really cut out for a political career. His family had that huge market at 6th and Washington Aves. I liked that guy personally. We got along famously. I would go down there at Easter-time and he would take me all through the market and give the kids bunny-rabbits and so forth. He was the only vote I got, by the way, in my fight against the curfew bill. We have a curfew in the city and it's the law that at 10:30 all kids under 16 have to be off the streets. My argument was that this wasn't going
to be enforced in Chestnut Hill. This is a dragnet bill. This is the kind of bill that the police can use when they want to get somebody for something else or clear off a street corner. It's only going to impinge on the poor people, mostly the Blacks, and it's a bad bill. And Marshall Shepherd and Raymond Pace Alexander voted for it and at my surprise Tommy Giordano made his only speech on the floor of City Council against this bill. He was a real traditional cop-hater and I remember his speech was -- "I have a kid 15. And he goes uptown to the movies and no God-damn cop is going to lay his hand on my kid just because he's out after 10:30. He's a good kid. I'm against the bill." And he sat down. The trouble with legislation like that is that if somebody introduces it nobody can vote against it. Why shouldn't the kids be off the streets at 10:30?

One thing that I'm proudest of in City Council is the 1% for art bill, which was my baby and it was introduced about the middle of my time in City Council and it was placed in committee and I was able to persuade the committee -- and I don't remember what committee it went into -- to hold public hearings. I knew the bill wasn't going to pass. There was no way that any City Council in the U.S. was going to vote 1% money for a bunch of awful looking modern art things, which is what they would get. It was just a gesture and so they did have public hearings and a lot of people came in and testified and I figured that was the best we were going to do -- we at least had some hearings and -- Ed Bacon wasn't for it. How do you like that one? He said he thought it was unworkable. Good idea, but unworkable. Ed's theory was why extend yourself on something that doesn't have the faintest possible chance of passing. So he was very lukewarm and that was the end of it. And I kind of forgot about it.

Oddly enough, on a personal basis I was rather well liked by most of the councilmen and personally I liked most of them. We really got along quite well in that sense. One of the reasons was that they said, "At least this guy is not a phoney. He isn't on the take." And by this time it was pretty well known that I was not going to run for another term and so as a kind of going-away present on the last Thursday of 1959, between Christmas and New Years, we had a meeting of City Council and that was my last day in City Council and all of a sudden, to my amazement somebody got up and said that Bill 1604 or whatever it was and asked for unanimous consent to suspend the rules to pass the bill on the first reading without it waiting over. And everybody was smiling and they passed the bill around and it was my 1% bill and either they were so glad to get rid of me or they gave it to me as a going-away present.
And the city got a lot of credit -- there were editorials all around the country about how progressive the Council was and so on and in a precarious way the thing still exists. At the same time Mike Von Moschzisker put the thing in as an executive order of the Redevelopment Authority and in terms of the amount of sculpture that has been produced in quantity, I would say probably more from that Redevelopment Authority rule -- that is only an administrative ruling. There has been more redevelopment than there has been city building. The clothespin is the result of the Redevelopment one because that land was assembled by the Redevelopment Authority. The sculpture that Penn is supposed to put in and is rather dilatory about getting around to is Redevelopment. And most of the stuff in Society Hill. The Lipshitz, for instance, is a classic case of the 1% because that is from a municipal building and the things outside the health centers -- those things are 1% city funds. The fountain at the Civic Center, that's 1% city funds. So Mike has probably had more effect in producing sculpture than the 1% and we were both in cahoots at the time. We knew what the other was doing and Joe Greenberg was I think President of Artists Equity and was one of the ones that stirred both of us up on the subject. The other thing was (both of these are firsts in the United States) -- was the Police Review Board and that legislation never passed. It was bottled in committee by Paul D'Ortona and we never were able to get a real public hearing on that. It's a bill that I wrote. But around the time that I left Dick established that as a Commission established by Executive Order. And that was really an outstanding group of people -- that first Police Review Board. And that of course created a tremendous controversy for years -- all over the country -- J. Edgar Hoover denouncing it and so forth. Hoover as usual just lied to the American people. He said police were being humiliated and after 20 years of service were being kicked out of the police department by civilians. Of course the board was totally advisory. The board served a tremendous function in getting the citizens a chance to come in and be heard and air the grievance and frequently that's really all they wanted in many instances. It was a forum. Because the police's internal mechanism for hearing complaints is ludicrous. You turn into a defendant. And suing -- to make a federal case out of it. And I brought many of those. And it's costly and you don't win the cases anyway. Juries are very very hard to convince about policeman. I still think it was a hell of a good idea and it was allowed to die by Jim Tate. It was a court controversy and finally it was sustained and Jim Tate just never asked for any more appropriations and never appointed anybody.

By the way, since I'm talking about myself, I had another thing, not connected with City Council, that I'm very proud of. I am the first person that ever sued Frank Rizzo. I mean as a lawyer. Coming out of the coffeehouse raids. That was for the ACLU. He was then the captain at 12th and Pine.
Dick (Dilworth) and Leary — Dick transferred him to way the heck up in Burholme at one point — and I used to have a couple of friends in the police department that I knew from City Council days — the reason that Rizzo hated Leary was not, as sort of generally believed, because Leary didn't shoot a lot of people up on Columbia Avenue during the riot but mainly because Leary was Commissioner and pulled Rizzo out of the high return graft opportunity post at 12th and Pine and in a sense exiled him to Siberia. And I think he was up there for a year or so — way up in the Northeast. Where there was no action, no numbers, no strip. Jim Tate is the man who is responsible for Rizzo's rise and Tate now says so and says he regrets it.

Rizzo was pushed constantly by the Inquirer and the Bulletin. You know the papers are the only institution in American society that has no memory. Everybody else is responsible for things they did in the past but the press has no memory because it creates history and therefore when it changes you have to remember that because there is no other force that can say, "The Bulletin used to be for this." There's no mechanism for examination of the historical record when it comes to the press. It's true about the war. The whole press in the United States supported the way (Vietnam) including the New York Times until very later -- the '70's. So the papers here were responsible for building up Rizzo and the Inquirer was more shrill than the Bulletin but not an awful lot.

(WMP: While we're on the police -- would you tell about these suits you brought against the police --)

The case was brought in the summer of '70 and it is still going on. Legally we've won the case. In fact, really twice we've been to the 3rd circuit. But the implementation in view of the unbelievable intransigence of the city at every single step. Every piece of paper. Everything is fought. Plus the fact that it isn't easy anyway. It isn't the easiest thing. These questions of discrimination are a lot more complex and subtle, I think, than the liberals thought they were in the '60's. It's a very gradual process.

(WMP: What was the system that you finally got to be adopted?)

There have been a number of orders. The gist of the thing was this -- up until the time Rizzo came into power as Police Commissioner Philadelphia led the country in the proportion of Black police officers and to some extent -- well, we had by far the highest proportion in the United States. No city was close to us. Through the '50's and the '60's. One of the great reforms of the charter. You eliminated very largely that kind of racial discrimination in city employment. The city was at 18.5% in the '60's and the closest city trying to catch up was down around 6 and 7%.
The Police Academy classes in the year before Rizzo became Commissioner were 27.5% black, not too far off the population when you figure you pretty much have to be a high school graduate. Rizzo reduced this to a shocking 7.8% while every other city in the country was going in the other direction. Now in our suit we did not allege and did not have to prove deliberate and intentional discrimination, but the case that was actually put on was unmistakably one of deliberate discrimination. To get the order that you want to rectify the situation in these cases you don't have to prove it was intentional so we didn't -- why bite off more than you have to? But that it was intentional is obvious. Now most of this discrimination was accomplished not only by the written examination, which was racially biased but that was a minor instrumentality in excluding Blacks from the police department. It was done through the mechanism of the background investigation which all policemen must necessarily have. It's much more complete than you would have with an ordinary person applying for a civil service position and should be. It includes a field check. In other words you go and talk to neighbors and all that. We identified some 28 factors which the police people in charge of personnel said they considered to be adverse to varying degrees. Some very minor and some major. A great team of Temple students did an amazing amount of work with a computer and everything else tabulating this thing and what we found was if you were white and had any one of these adverse things or any combination of one, two, three, -- we did it up to five -- you're chances of being accepted if you were White as opposed to if you were Black was 3 to 1. And that was the fundamental thing which was reformed. And we're still fighting about some of the aspects of this background. The written exam was also changed. All by orders of the court.

The case was brought by a group of about 9 police candidates who had been rejected. Drinker, Biddle, and Reath represented them. And after we got the thing ready we persuaded the Commonwealth of Pennsylvania -- a fellow named Jack Hagley was then in a sort of civil rights position in the first Shapp administration. We persuaded the Commonwealth of Pennsylvania to join the suit. In fact it's usually spoken of in the papers as being brought by the state. We really started it. Our print-outs -- you know, lawyers keep time on print-outs -- I now think show about $150,000 worth of legal time put into the case and we do hope that we will be awarded some partial fee. The court is empowered to do that against the city. We were asking for 2/3rds of the fee and the court has been sitting on that for a long time. I hope that we could get a half or a third of it back. This firm does an awful lot of that kind of thing. We now have at the moment about 12 police abuse cases in the federal court. They're all freebies. They are just an individual who has gotten mistreated or beaten up or in some way mistreated and we do those both on referral from ACLU and from Pilcop, which was Wolf's thing.
Then comes along the beginnings of the break between the ADA grouping — I'm using ADA now in a larger context than merely the exact members — I'm assuming that it more or less coalesces and symbolizes in a varying group of individuals and sort of organizations in the liberal wing of the party so it had a larger constituency than its mere membership and of course the first big one -- well maybe the first one to some extent was Tom McBride's campaign when the organization tried to dump him but that was a state-wide thing but it was the first time I guess where ADA literally was working for a candidate that the organization was fighting.

I wasn't in ADA until the very late '50's. It was sometime during the time I was in Council and I think I sort of went on the board maybe my last year in Council. I was not enthusiastic about ADA. I thought ADA was soft on McCarthyism. I thought they folded too much in the McCarthy period. I think ADA was so sensitive about once having Communists or fellow travellers in the organization or at least breaking away because of that and the Wallace campaign, for instance. And I also thought they were too heavy on the cold war. See I came back from my two years at NATO with a great deal of skepticism about a lot of the shibboleths of the cold war. I had never become a total cold war revisionist in the sense of -- like Noam Chomsky. The kind of revisionist who really now sees nothing but good old Joe Stalin who never did anything wrong and all the evil was Truman. But I am to a great extent a cold war revisionist and I began to feel great misgivings about some of the underlying notions that we were operating on after having been exposed to a great deal of information and the whole picture in Europe and NATO. And I felt that ADA was still right along with Dean Acheson and really fighting the cold war in an unreasonable hard-line manner and not really as staunch as they should have been against McCarthyism. That may surprise you because if you look -- the right wing would tell you that they were practically the arch defenders of the whole Communist party. But I didn't see it that way.

So my involvement really came about because of the aspects of ADA locally as a reform instrument and of course the first and important one of those was when you ran for Mayor. I managed your campaign. It was an absolutely remarkable effort. The number of votes you got in proportion to the number of dollars we raised -- I think your campaign for Mayor in the primary and Norvel Rease's in the primary for the Senate probably was the most votes per dollar raised of any campaign in Philadelphia. It was a valiant effort and it was obviously a sacrifice for you to do it -- the kind of gesture that had to be made and you made it.
I think it established ADA as having credibility as an independent political force. We were always figured to be good for somewhere around that number of votes in any election. A couple of years later we went whole-hog and supported Arlen Specter and that was a time that the power politically of ADA was at its peak. I'll say one thing for Arlen and I've come since then to not think that much of him, but he said that that initial victory of his he could not have accomplished without ADA support and we gave him a lot of staff support too. We worked constantly in that campaign. And then we never supported Arlen again. There was another election when we didn't take any position at all, I think that was Arlen against Fitzpatrick. But we never again supported Specter. I think we did not endorse him for Mayor -- or did we? Maybe we did.

(WMP: I thought we did. Several ADA people went on his ticket. Including me.)

That's right. Now it all comes back to me. You ran on the ticket and Joy Takiff ran on the ticket and Ned Spaeth ran on it. And Dave Savitt.

I should think you could measure in a capsule what happened to this city if you look at the City Solicitor's office -- and you think of the chasm between Abe Freedman and Sheldon Albert. It's really something. It's deplorable. Nothing more was ever put into the pipeline. This is maybe of some general political interest. When you get a huge effort like that -- a real Renaissance and a tremendous flowering of maybe 6 to 8 years worth. And every single physical improvement I can think of, some of which are now still uncompleted like Market Street East, really came from that original seminal notion and I guess some of them go back to your days, Walter, in the planning thing.

(WMP: It was the times. We had lived through 10 years of Depression and 5 years of war. The city was depleted and it was time for growth and politics came along with the changes in the economy.)

Yes. It was time, Walter. But what other city did it? You have to have the times. But you have to have another ingredient. What other city did it? It is unique. This movement didn't hit Boston. Why not? Somewhat of a similar city. Later on, and partly through looking at Philadelphia these cities began to do some things and then federal money did begin to come in seriously. But don't forget when that was planned, there weren't any huge federal grants.
(WMP: That's right. But it's clear that as a result of that hiatus when there was no development going on in the city that there would be a great demand for it and the inflation greatly diminished the weight of the debt. So the buying capacity came in and more federal funds came in and so you were able to rejuvenate the physical plant of the city.)

But I don't think a single major project was ever added to the inventory of projects as of at least the beginning of the '50's.

(WMP: Bob Mitchell was the first city planner that we got before the war ended really and we had the Better Philadelphia Exhibition which really sold those plans. So that gave a great many leadership people a vision of what was to come.)

And you had an alliance between political forces and business forces.