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Mike Cody, 2007

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Cody, a Rhodes Alum, worked on various civil rights cases in Memphis, including Dr. Martin Luther King's appeal for the Sanitation Worker's Strike. He currently works at Burch, Porter, and Johnson, a Memphis Law Firm.

Courtney Eskew: – Crossroads to Freedom, I'd just like to welcome you to Rhodes College. I know you're a figure here anyway, but we'd just like to thank you for giving us your time today to share us your story. So, can we start out by you just stating your name?

W. J. Michael Cody: Sure. It's – well, W.J. Michael Cody.

Courtney Eskew: And where were you born and raised?

W. J. Michael Cody: Here in Memphis. I was born in 1936 at Methodist Hospital in Memphis. Lived on Harvard Street in what's now called Central Gardens and lived here all through public school. Came here to Rhodes, which was then Southwestern and didn't leave Memphis until I basically went to law school at the University of Virginia.

Courtney Eskew: So, what was it like growing up in that neighborhood?

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W. J. Michael Cody: Well, of course, it was completely segregated. It was a nice life, those of us who were fortunate enough, I guess, to live in the white community and not understand that there was another side of the city that was not as fortunate. About the only African Americans that a young person like myself would see would be a yard person or a maid. Never saw any kids of your own age, but basically you either walked or road public transportation, which was at that time early on it was street cars and then went to electric busses and finally to busses. There was nothing except where people lived in downtown there was no such thing as a shopping mall or East Memphis or all of the places out that have developed since that time.

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W. J. Michael Cody: My father worked at a place called **Stairdor** Company that was on the corner of Union and Bellevue, and my aunt, who was a school teacher, she taught at Bellevue Junior High School, and I started out going to Bruce Elementary School. They were all within half a block of each other. So, in the morning we'd pack up all of our lunches. We'd just get dropped off at our various places, and I guess I was 12 years old before we even had an automobile.

Of course, back in those years the Second World War, it started, and – but it was a small knit community and, of course, pleasant for kids to play in the neighborhood.

Courtney Eskew: As a child were you aware of the segregation?

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W. J. Michael Cody: I really wasn't certainly at all when I was a child. I was actually raised in a terrible situation some psychiatrists would say, but in a home where I had a – start at the top – my father, of course, but my great grandmother had been married to someone, my great grandfather, who'd been in the Civil War, so that was how close I was to way back. She was there, and she was elderly, of course, but still doing what she wanted to do. So, that was my great grandmother and my grandmother. I have my mother, and I had my aunt, all of them lived in the house with us, and I sort of got a lot of attention, and my sister came along. She did too.

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W. J. Michael Cody: But it was – we had a woman that lived with us in a guesthouse, which at that time was called servant quarters, and she took care of me, cooked for the family, did the washing and got my day off. I recall I spent a lot of time with her. She'd take me on a trolley car downtown or whatever we were going to do. That was – other than seeing someone come by the streets maybe on Saturday with a wagon selling – drawn by a mule or a horse – selling fruit or vegetables or things from the country those are about the only African Americans I saw. No kids, of course.

Then even when I went to East High School after I got into high school age, and it was a new school out in East Memphis at that time.

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W. J. Michael Cody: School was completely segregated. You would begin to hear in junior high about people in another community, for instance. Books, into the school year when it got to be spring and school was out the teachers would tell us, "Get all your books you've used all year and pile them up on the pavement out here." I remember asking what's going to happen to the books. They said next year we give them – they go to the black schools, African American schools. So, I guess that was one of the first times that I had a sense that there was a, not only a segregated system, but a system of inequality.

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W. J. Michael Cody: The first time that I guess as a sort of becoming adult person that I had awareness of that is I was running track at East high School, and all of my friends who were white held state records. They were the recognized record holders, and you couldn't run against the black schools. It was against the law for schools to compete against each other, white schools and black schools, but some Saturdays and Sundays groups of us from all the schools, black and white, we would climb over the fence at something that was called Hodges Field, which was one of the old football stadiums. It was closed on the weekends, but we knew how to get over the fence. So, we would run against each other just on our own, no coaches, no officials, nobody there. It wasn't sanctioned group.

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W. J. Michael Cody: And it struck me as strange that my white friends, all of whom held these state records, were in fact getting beat by the black kids from schools like Booker T Washington, Melrose, Carver, and yet, the next week when the state records were reflected in the newspapers these kids that were getting beat on Sunday afternoon were still the record holders because there was not even any recognition given to the black athletes in the traditionally white press. So, that certainly was another time that I began to sense that I was living in what people in South Africa might call an apartheid situation.

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W. J. Michael Cody: And, of course, as I said, I'd never been anywhere. I didn't know what it was like anywhere else. And I came to Rhodes – Southwestern in 1954. And the only reason I got to come here was that I was running track at East High, and we didn't have a track. So, my coach would put me in his car or the back of his motorcycle or whatever it was and drive me over to the center track here in Rhodes, and I began to run with the Rhodes College kids and was able to do well enough that the coach went to whoever was in the business office and arranged for me to get a leadership scholarship for that, which I think was about 80 percent athletic and about 20 percent student government and all the other things.

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W. J. Michael Cody: But when I came to Rhodes, of course, it was completely segregated as well. No black kids here at all. It was not until about 1956 when I went to represent the college at a National Student meeting in Ann Arbor, Michigan that I met contemporary kids my own age, African Americans, and actually had – the athletes we'd run against each other on these secret meets, but I'd never had any real intellectual exchange of information with anyone that was not white.

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And then the next summer Jameson Jones, who was the dean here when I was here, arranged for me to go to Europe to study in an abroad experience with a lot of kids from all over the country who were doing the same thing.

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W. J. Michael Cody: I got a scholarship to participate in that. Then again I met African American students from Harvard, Yale or the University of California or wherever, which, again, was sort of a major step for me in understanding of the world being bigger than what I grew up in.

Courtney Eskew: Did you feel that after having those experiences, like being at the track or meeting students of color at the National Student Association, did you feel that as a student or an athlete you had been disadvantaged at the black community's disadvantages? Like as they were – as an effect of segregation you as a student had been disadvantaged because you had been isolated from their academic knowledge or their contribution to athletics?

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W. J. Michael Cody: You know, I don't know that I ever even thought – certainly at that point I never thought about it because those were sort of little – three little spots over a long period of time, and I was still not competing like when I was running here at Rhodes. I never was competing with any African American athletes. I think there was certainly a sense if you thought about as if the playing field was broader that your status in the formation would not be nearly as high. Of course, that would have been the same case if I was running at Rhodes or the University of Pennsylvania or Stanford, everything is relative.

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W. J. Michael Cody: I don't really think I had the feeling of what you're describing until I actually got involved in community stuff and politics and began to see how retarded or set back Memphis and Memphians and all of us throughout the South, and I guess really all over the country, had been and that the white community had suffered in many, many ways from the segregated system.

The most important part of that is we sort of set in motion a lifestyle that had taken – been picked up from slavery and sharecrop farmers to poverty in the segregated system, made the economic segregation appear. So, places like Memphis with a very limited economy which was dependent upon black labor, low wages, even to the extent the city fought very hard against unions, which would have brought higher wages because the white businesses wanted to keep the wages low and wanted to resist union pressure, and you'd have companies like Firestone, International Harbor or Ford Motor Company where there was a lot of labor effort to raise the status of the black wage earner. Memphis still pays the price in our schools and economy and everything else of that economically segregated system.

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Courtney Eskew: Were there any other experiences that you had here at Southwestern that influenced you later in your life?

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W. J. Michael Cody: Yeah. I was president of the student body here, and as a result of that I got very involved in issues that were a little bit bigger than just the college issues and, again, to work with students across the country and things. These are such ancient history nobody'd remember it now. But 1956 or so the Hungarians and Budapest rebelled or revolted against the Russian Communist control. Students were very, very instrumental in that revolution and temporarily, for a short period of time, resulted in new freedoms in Czechoslovakia, Hungary and there was a lot of discussion there.

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W. J. Michael Cody: Even there was some as we talked about it similarities that we could see when you compared sort of a free Czech or Hungarian who wanted to resist the communist control from outside to the African American in the South. Of course, I'm talking about 1956, and you get into the early '60s, and you began to translate what is

happening in those countries, what Gandhi's doing in India was nonviolent, civil disobedience on world force issues to resist tyranny or oppression or inequities. That began to translate as we worked on things into a civil rights movement. I remember when I was president of the student body I set up something.

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W. J. Michael Cody: We called it the inter-collegiate student government, which would have representatives from Rhodes, CBU, [Lemoyne Owen](#), University of Memphis, and we would meet, and that would allow at least [Lemoyne Owen](#) which was the African American college, to have interplay with students in other places. Those things began to happen. Of course, Little Rock Central in those years, middle '50s you had the federal troops coming in and those issues, sit-ins around the South beginning to develop.

I remember writing one of my senior dissertation papers here at Rhodes on sort of comparing the Ku Klux Klan in the 1870s leadership characters with the 1950s what they call "white citizens councils" throughout the South.

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W. J. Michael Cody: Sort of what was the real difference, if any, what happened in all those years, and it frankly wasn't much.

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Courtney Eskew: What happened after you graduated Rhodes? What helped you decide your career path?

W. J. Michael Cody: Just luck. I kind of like luck. I got to go to – if I hadn't run track over here in spring of '54 I would have gone probably to the army because my family didn't have enough money for me to go to college otherwise. Rhodes gave me a scholarship, and then they allowed me to work for a man named Mr. [Rollow](#), which was the college engineer, and I also worked at the lab—the library, but mainly the dining hall. Just didn't have any money.

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W. J. Michael Cody: Back in those days your parents were sort of expected if they didn't have money to pay, and if no one had ever heard of a student loan, borrowing money, so I was pretty much working and had a scholarship and got through. And I came into my senior year and, of course, was crazy about Rhodes and the faculty and the experience that I'd had here and got a grant or a fellowship to go to

Duke and get a PhD in political science, which was my major here. I had tried to get a Rhodes scholarship in political science and economics, so I would have gotten up through the chain to the last steps, but I either wasn't a good enough athlete or a good enough student to take the last step.

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W. J. Michael Cody: But I thought I was pretty – that being a professor would be good. In the spring again, this time '58, four years later, one of the part-time coaches of the track team was a guy named Ross Prichard who started the international studies department here at Rhodes College. Dr. Prichard had been a all-American football player at Arkansas, played for the Washington Redskins. He was very attractive, vibrant, exciting teacher, and he sort of helped. As teachers, professors do. They get involved with the kids and help them outside of their own little area. He was talking to me and asked me what I was going to do when I graduated, and I told him I was going to be a professor. He said that why don't you – he said that'd be all right, but what if you don't like teaching after you've gone through the whole PhD program and got your doctorate and decide teaching's not something you like?

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W. J. Michael Cody: I said, "I'd be a mess." He said, "Why don't you go to law school? That way you can teach if you want to in law school, or you can practice law or be more involved in the community. You could do that. You don't have to make that choice right now. Keep that option open." So, that made sense to me.

I changed, and I think in the process got dumped by this girl that I was pinned to that I thought I was going to marry because she had in her mind she was going to be married to a college professor. When I swapped over to a lawyer she didn't know much about – that sounded quite as good. There are probably other reasons too, but I thought that was a factor.

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W. J. Michael Cody: So, I scrambled around and luckily got a good scholarship to the University of Virginia and went there.

Courtney Eskew: And where are you currently employed?

W. J. Michael Cody: I'm at Birch, Porter & Johnson, which is a law firm here in Memphis that started in 1904, so 103 years ago, originally by a man by the name of Charles Birch. His nephew, Lucius Birch, was

the Birch that was hired me to come back here. But Charles Birch was the lawyer for Rhodes College back in – was it 1928, when the college moved from Clarksville to Memphis and actually had to defend the Rhodes' president, Dr. Diehl, who was charged by the Presbytery with heresy.

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W. J. Michael Cody: And they tried to remove him from office because they claimed his religious stance wasn't Presbyterian appropriate, but the whole deal behind the lawsuit or the challenge was they didn't want him to move the college to Memphis from Clarksville. His feeling was unless the college moved from Clarksville to Memphis it wouldn't survive because it needed Memphis to do that.

So, Charles Birch, the founder of my firm, represented Dr. Diehl and got him off in that trial. So, we represented Rhodes since then, since 1928 or whatever it was.

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Courtney Eskew: What brought you back to Memphis?

W. J. Michael Cody: This guy, Lucius Birch that I probably just talked about, again, always make these decisions early and then re-nig on them, just like I was going to go to Duke.

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W. J. Michael Cody: I changed my mind. When I was at Virginia in my last year fall I took a job or accepted a position with a big firm in Philadelphia and came home. During the course of the Thanksgiving holiday I met with Lucius who I had clerked for the previous summer, and he convinced me that I didn't want to go, just like Ross Prichard convinced me I didn't want to go to Duke. He convinced me I didn't want to go to Philadelphia and what I ought to do would be to come back and work for him here in Memphis because mainly sort of the service aspect that I didn't need much encouragement about because Rhodes brainwashes you into that service thing pretty solidly.

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W. J. Michael Cody: His idea was if you go to Philadelphia you're just going to be sort of one of the Philadelphia people, but if you come to Memphis you'll be someone that has not only grown up here, understands the community, but also understands what a lawyer could do to change the community. Of course, you had to remember that was

1961. John Kennedy had just been elected president. His brother, Robert Kennedy was Attorney General.

I had worked for John Kennedy and his campaign. I had toyed with going to work for the Justice Department in Washington at that time, and the Civil Rights Movement was just beginning. Lucius was representing people and working with the newspapers to try to desegregate the Memphis libraries.

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W. J. Michael Cody: We had segregated drinking fountains. Movies were segregated. African Americans could only go to the zoo one day a week. The whole structure was still segregated in many, many ways, but it was changing, and there were a lot of new African Americans who had returned from service, the Second World War and the Korean War, and they were beginning to not tolerate the current strata here in Memphis. Lucius being sort of a liberal-type person was a lawyer they would go to to help make these changes. So, I immediately sort of got involved carrying his briefcase and doing those kinds of things.

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W. J. Michael Cody: And that led to representing people that were working in voter registration, drives and lunch counter sit-ins and things like that. As a matter of fact, one of the most significant things that I remember is – again, still being a runner I'd come back and I was running out on the track, even after I started practicing law here in Memphis, and that was the first year there were two African Americans admitted to Rhodes College or Southwestern.

One of these youngsters was a guy – a man named Lorenzo Childress, and he was an end on the football team. They were out working in their summer practice, whatever, pre-fall workouts. There was a restaurant that all the football players went to that was over at the corner Parkway – well, Parkway there were East and North Parkway – Summer I guess is joined. So, maybe the steakhouse or something like that.

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W. J. Michael Cody: So, all these football players after practice walked over – they were staying in the dorms here in the summer – walked over the restaurant to have dinner. The guy running the restaurant said the white players could come in but Lorenzo Childress couldn't come with them. So, to their credit, they refused to go in. None of them

went in, and somehow they got in touch with me, and we filed a lawsuit. Then there were these interstate commerce anti-discriminatory, you couldn't do that anymore. But a lot of people in Memphis didn't pay attention to that law.

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W. J. Michael Cody: So, we ended up – that restaurant closed before they would serve a black person. So, it just went out of business, and we closed that down. Then there were other lawsuits like that, some school desegregation things. It just sort of went along that way during my early years, even though I was happy to spend most of my time still making a living and doing what lawyers do.

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Courtney Eskew: Were there any other memorable cases that stick out in your mind from the civil rights period?

W. J. Michael Cody: Of course the most memorable was – came seven years later when we were hired to represent Dr. King when he was killed here in Memphis. That is another story. *(Laughter)* One of these people that I had met over the years through the sit-ins and Nashville and North Carolina there was a young man – young minister – a young man who had been a divinity student at Vanderbilt.

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W. J. Michael Cody: And he had gone as part of his divinity work to India to study under Gandhi, the nonviolent movement, or force or civil disobedience, whatever you call it. When he came back Dr. King was starting his campaigns, and Jim Lawson was very instrumental in sort of teaching Dr. King how you set up what Gandhi had done, whether it was marches – Gandhi, of course, used it against the British to get independence or equity, and King was using it against the whites to get more equity and fairness.

So, Jim was involved in those sit-ins on the bus when they take blacks and whites and put 'em on an interstate bus and go to [Solmer](#) Alabama or Aniston. You had all the violence and the bus is set on fire. All that stuff that was going on in the South.

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W. J. Michael Cody: So, Lawson knew King from that experience, and he was a minister at this time here in Memphis. This is after he had been arrested on one of these buses down in Aniston, Alabama. He was arrested for disturbing the peace when his bus was set on fire and

he was beaten by these thugs down there himself. Of course, the locals arrested him for disturbing the peace for being on the bus that set all this trouble.

When he did that a really strange thing, the chancellor of Vanderbilt expelled him for this arrest, and when that happened the majority of the divinity school, faculty at Vanderbilt resigned in protest to what the chancellor had done. So, Lawson ended up going to Boston – wherever King went to divinity school, Boston College maybe, Boston University, one of those. And he graduated, got his divinity degree and came back to Memphis and had a church called Centenary Memphis Church.

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W. J. Michael Cody: So, at that time there was a big garbage strike going on in Memphis, sanitation workers, and it went on for months and months. It was not getting very far, and Lawson had the idea of bringing King into Memphis to lead a big demonstration on behalf of the sanitation workers to try to get their better rights and economic benefits which were sorely needed.

And so King agreed to come, and in March – it would be March of 1968, whatever part, King came and led a march, but the march was broken up when some kids took the placards off of sticks they were holding – that the placards were on – and began at the corner of Beale and Main to knock windows out, break windows.

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W. J. Michael Cody: Some looting started, the police reacted. Tear gas. People got shot. People got killed. King was taken away to safety, and that night he had a press conference. He said I'm going to come back to Memphis and I'm going to have a march, and it's going to be safe, and we're going to get results, and we're not going to let this prevent us from doing it.

Well, when he did that the city went and got – went to federal court and got an injunction to restrain King from coming back and having a march. They had the good evidence that the last time they had a march it got – it turned violent. So, when he announced that and the city went to federal court they got the injunction, and King said he didn't care. He was going to march anyway.

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W. J. Michael Cody: But a lot of the NAACP, Christian leadership Council, people were more concerned about the ramifications of Dr. King violating a federal court injunction. Throughout the movement the African American community and the civil rights community were using federal court injunctions to integrate schools, to allow progress to be made, and this wasn't just an injunction by some state judge down in a little town in Mississippi or Alabama. This was a federal court, and the federal courts were the support mechanism for the whole Civil Rights Movement, the Justice Department and everything that we were dealing with, voting rights, segregation laws and everything else. So, those people, including the ACLU, didn't want – wanted to get that injunction lifted.

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W. J. Michael Cody: So, they called me to see if I would represent Dr. King to go to court and get that lifted. As I said, I'd only been practicing law seven years, so I knew I was not prime time yet. So, I had to go to Lucius, the guy who brought me into this in the first place, and get him to represent Dr. King, and he agreed to do that. We were – met with Dr. King the night before he was killed and were in court all the day the day he was killed, got the injunction lifted. I took Andy Young, who was along with Jim Lawson, our two witnesses in that hearing, back to the Lorraine Motel, before I could drive home Dr. King had been killed there at the Lorraine Motel. Andy Young had gone back to the motel to report to him what happened in the federal court and was there talking to him. They were getting ready to go to dinner.

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W. J. Michael Cody: At that time Andy was – Andy Young was just sort of a chief aide to Dr. King along with Abernathy and Jesse Jackson. But he later became the United States Ambassador to the UN and became mayor of Atlanta for several terms.

Courtney Eskew: That's such a good story. After the first strike, sanitation workers strike, and then having the injunction lifted to the second strike can you describe the socio-political aftermath in Memphis, what the sentiments of the community, the Memphians were feeling at that point?

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W. J. Michael Cody: Well, it was almost a day-by-day situation. If you go back the sentiments a week before the hearing, a week before King was killed tremendous racial polarization. A lot of people thought

King was a communist, FBI, was doing everything they could to bump him off the rack in any way they could. A lot of hate in Memphis against any uppity black leader, particular someone like Dr. King that was getting results. So, you would have certainly found very little, if any, sympathy for Dr. King in the movement within the broad, white community.

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W. J. Michael Cody: Again, that segregation and the two lines were pretty separated. However, I think the city – two things happened when King was shot. One, a lot of people that felt like they shouldn't have been sitting on the fence they should have been involved trying to get this strike settled and to get a fair playing field for everybody here in Memphis and in the South. They sort of had remorse about positions they had taken, and there was sort of an immediate sort of interracial groups that were formed after that to try to say how can we keep this thing from happening again. How much of it was just sort of an embarrassment that Memphis had been where King was killed and how much of it was – I think it was a lot of all of those things.

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W. J. Michael Cody: But as Andy Young told me when I had a lunch with him maybe three or four months ago in Atlanta, he said he could hardly think of Memphis because of the trauma of standing by Dr. King when his head was blown off. Yet he said, "But for that fact we never would have made the progress that we did make," because King's death – just like Gandhi's death, just like Robert Kennedy's death, just like John Kennedy's death made them bigger than life. So, it allowed people to do things in their wake to make changes that probably would not have happened if they hadn't become martyrs, in a sense. I've always felt like that.

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W. J. Michael Cody: Of course, later on I became a United States attorney when I had access to all the FBI files, the records. I was attorney general where I saw all of the case against James Earl Ray and who killed King and all of that. It was pretty obvious that it was just complete happenstance that King was shot here in Memphis. Ray had been tracking him through Montgomery and Birmingham and Atlanta and just looking for the right opportunity where he could get a shot at him. And it just turned out that that occasion was here in

Memphis when he was at the Lorraine Motel. Ray could find a flophouse right across the street that he had a good angle for a shot or shots.

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Courtney Eskew: Do you remember it being a difficult decision for your firm to make in representing Dr. King?

W. J. Michael Cody: Well, it wasn't a difficult thing for me to make. I'm sure there was some feeling within the firm that this is going to be costly in terms of economics. Lucius, when I talked to him, one of the conditions that he had for representing Dr. King was he wanted Dr. King to sit down with him and tell him why this march was so important to the big picture to Dr. King and the Civil Rights Movement and why it was necessary for someone like Birch and our firm to get in to help him get this injunction lifted. That's sort of led to the discussion where Lucius and I and a couple of other lawyers went down the day before King was killed and sat with him in the Lorraine Motel and heard Birch ask those questions.

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W. J. Michael Cody: Like we're sitting here now, Birch was telling him and getting into this, and King telling him all the stories about black power and a lot of young people were losing confidence in the civil disobedience method. They wanted to get guns, and he was determined like Gandhi to not let it resort to violence because it would defeat whatever he really was trying to do, and that was to show this moral force.

I think Birch way back in his mind was saying, "I know a lot of the clients in this firm are not going to be happy about us doing this. We're going to lose some of this business, and I just want to make sure it's not just – no consequence to the bigger picture."

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W. J. Michael Cody: I don't think we ever lost anything to any degree. Later on I think we did lose a whole lot more business when we helped some guy names **Arlou** Smith who was a biology professor here at Rhodes and little old ladies in tennis shoes to stop the interstate, 1-40, from going through over to the park. I think the firm got a lot more adverse business pressure and discomfort from the legal community or the business community really than it did from Dr. King.

Now, that could have been different though if Dr. King had not been killed. See, things changed. Today we got a national holiday. People take the day off all over the country for Dr. King. Every city has a street, Martin Luther King Boulevard or whatever else. The postage stamps, what have you.

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W. J. Michael Cody: But back then it was certainly not – did not have that position in anyone’s mind.

Courtney Eskew: Do you feel as if Dr. King’s nonviolent approach to leadership affected you as a leader in Memphis at the time?

W. J. Michael Cody: Well, of course the whole idea I would have felt the same I think about Gandhi and what he was doing. Again, these bumper stickers that say what would Jesus do or whatever it is. If you go through Rhodes College four years and you have philosophy, religious history, government professors that tell you what’s the right way – do you want to be Machiavelli, or do you want to be Gandhi? How do you solve problems? How do you approach things?

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W. J. Michael Cody: I was sort of ready for all of that. It just fit into the way that I thought was the right way to do it. It was very – back in those days when I was here in the ‘50s people like Jameson Jones who taught senior Bible just stuffed down you all the existentialist writers, religious theologians that were idyllic and **Rolomaiegh** or **Kamu** or **Sartru** or Buber or **Hiedinger**. All of those folks would have been very comfortable I think with the idea that a person has an obligation or it’s part of being a human to try to change situations that are inequitable. That’s service.

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W. J. Michael Cody: Whether it’s helping an elderly person get a meal or is it trying to reform a structure in government to make it so that a vote counts or the color of your skin doesn’t determine whether you can vote or drink in a water fountain or get a job at a store or sit in a restaurant.

So, it was all – there is certainly – any kind of things, Presbyterian, Rhodes, **Serbis**, existential, I don’t know – all of those things sort of made it easy for me to feel that that was what I wanted to do rather than sort of make a lot of money being a lawyer. Not that I

didn't have to support a family and do things everybody else has to do.

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Courtney Eskew: Who do you consider to be some of your role models from your life?

W. J. Michael Cody: This fella, Jameson Jones, one for certain, who was the dean here and later after he left here it was a president of the Art Academy, Memphis Academy of Arts that's near here. He was certainly a major actor. Then Lucius Birch that was the lawyer mentor, who is – he was not only a tremendous figure for change in the Civil Rights Movement in this area, but toward the latter part of his life the whole environmental area. Another thing we were involved in as a law firm was – I don't know who's are audience here – but there's something called Shelby Farms, which is a huge park, bigger than Central Park, that's right – eventually it will be right in the middle of Memphis living area in Memphis. All of a sudden the city, which was in sort of a hard budget time, was going to sell all that land to real estate developers to put homes out there.

Lucius and others formed a group and filed litigation and stopped that and preserved it as a park, and now 30 years later, or however many years, we've just worked with the current groups that are doing that to form a conservator ship or a conservancy out there to preserve it as a park land so that in bad times or whatever people can't start putting a golf course or McDonalds or whatever else out there.

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W. J. Michael Cody: It'll be maintained as a public resource. So, Lucius was very – and those woods out there are names for him, Lucius Birch Wildlife Area.

Courtney Eskew: Do you think things have changed today from how they were in that period?

W. J. Michael Cody: Sure. They've changed. Maybe 180 degrees would be too big. And a lot of the problems are there. They're there in a sense for different reasons or they're there because we never overcome the sorts of basic problems that where in the origin, the slavery or education. The fact that African Americans weren't allowed to even go to school or read for many years after slavery and then not allowed economically to prosper. But you have to admit in a city

like Memphis you got banks. You got big buns. You got successful lawyers. You got African Americans who are real achievers economically outstanding, but even what used to be segregation on race still have a lot of class segregation in the sense that your upper class, upper middle class, African Americans in Memphis now are living in the white suburbs and have left what used to be the segregated African American neighborhoods in north and south Memphis and have left those communities without any mentors, without any successful role models.

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W. J. Michael Cody: And the economic condition of those housing areas or residential areas in the – what you would call inner city are probably, in a sense, economically not even as good as the African American segregated communities were when the black male in the African American family had a good-paying job at Firestone or International Harvest or where some of the – you don't have lower class – lower middle class African American males that have an economic outlet to support themselves.

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W. J. Michael Cody: And I think that has been part of the destruction of lower class black family because the black male has no part to play anymore then. There's no feeling of responsibility. There's so many families that don't have a male in the family anymore. That, of course, is a change shift for the worst, but – and I think in the past where those of us in the white community had to sort of pitch in and decide how we can solve these problems because the black community leadership was powerless to do it by themselves. I think in a sense the white leadership or the white community in a sense is not going to be able to solve those problems. It's going to take the black community solving those problems for themselves and raising the economic level of the entire community.

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W. J. Michael Cody: I mean, that's more complicated than we're going to get through in this little interview today. *(Laughter)*

Courtney Eskew: That almost answers the last question of who in today's Memphis do you feel has the most potential to change the community? That's you're saying coming from the African American communities themselves.

W. J. Michael Cody: Certainly the one that's way up at the top is the county mayor, A.C. Wharton, who has run countywide and attracted majorities in both the black and the white communities. That's obviously the answer. Interesting enough, another Rhodes graduate, Herman Morris, just ran this year, 2007, for city mayor. And in that race there was a strong African American candidate, the mayor, Willie Herenton, and Herman was African American contender.

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W. J. Michael Cody: But then there was a white candidate as well. And the more strident simply black candidate was successful over Herman Morris, who was trying to find a place in the center where he would get black and white support.

You could say that's a significant thing, but when I ran for mayor 25 years ago to this date in 1982 there was – I ran against a city council chairman who was African American and a very conservative white candidate.

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W. J. Michael Cody: I was – like Herman Morris – I was in the middle trying to attract black and white support because, again, it was my idea that we're not going to solve problems here in Memphis until we start electing people that have black and white voters supporting them.

In that case, the percentages sort of I got in the middle were about the same that Morris got 25 years later. The difference is that in the 1982 election there was a runoff provision. So, since the white candidate got about five percent more of the white vote than I did and I got no black support, but the black candidate got all the black support there was a runoff then.

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W. J. Michael Cody: The runoff was between the black candidate and the conservative white candidate. The majority of Memphis was still white, so the white candidate was elected, served until our current African American mayor beat him in a race which was white candidate got 99 percent of the white vote. Black candidate got 99 percent of the black vote. At that point in Memphis history of the demographics were there were enough blacks to make the majority. So, the white candidate then -

The answer is to get away someday from having people get elected

because of whether they're black or white, and we're moving toward that. It'll happen.

Courtney Eskew: And do you think it'll happen in my lifetime, your lifetime?

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W. J. Michael Cody: Yeah. It'll happen in a number of elections. It just has to break right. For instance. Any time you've got multiple candidates it sort of throws a monkey wrench into it, but they'll certainly be good African American candidates that will get a substantial white vote. I don't have any doubt about that. And there will be the other way too. I think it'll be better.

Courtney Eskew: Well, is there anything you'd like to add on that we haven't covered in the interview so far?

W. J. Michael Cody: No. Just I always enjoy coming back to Rhodes. I've had all the opportunities and interesting things I've gotten to fool with if I hadn't fallen into coming to school here.

Courtney Eskew: I know Rhodes certainly enjoys having you come back. So, thank you so much again for your time.

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W. J. Michael Cody: I enjoyed it.

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