

NOBODY BUT THE PEOPLE



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BUT THE  
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*The Life and Times of  
Alabama's Youngest Governor*

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## PROLOGUE

Inside the small country church in rural Cowpens, family and friends squeezed into the crowded pews to see Judge John Malcolm Patterson administer the oath of office to Tallapoosa County's newly elected state representative. It was a crisp Sunday morning in January 1995 when the trim seventy-three-year-old former governor swore in Betty Carol Graham, "a friend, a neighbor and a distant relative" who lived a mile or so down the road from where he was born. In his remarks, Patterson reminisced about his early childhood in nearby Goldville and talked about the importance of family and community ties. "You've always got to keep in mind your roots," he said with quiet conviction.<sup>1</sup>

The congregation knew where the judge was coming from. His family's roots, like their own, ran deep within the rolling red clay hills of north Tallapoosa County—a quilted landscape of lazy pastures, stands of timber, farm communities, and sinuous country roads winding down to where the Tallapoosa River and Hillabee Creek converge, barely an hour's drive southeast of Birmingham. There was a time when you couldn't pick up a rock in these parts and throw it without striking Patterson kin, some said. During the Sunday service the judge had joined in *sotto voce* when the minister led the congregation in singing "Onward, Christian Soldiers" and "Blessed Assurance, Jesus is Mine." He was saving his voice for the swearing-in.

Judge Patterson's reminiscences drew whispered amens. Some in attendance were as familiar with the ups and downs in his life as with their own. They knew that like his father before him young John had marched off to war when duty called. In 1918 the father, Albert, had been severely wounded in the Meuse-Argonne offensive on the Western Front and was awarded the Croix de Guerre with Gilt Star for gallantry by the French Government. During World War II the son had entered the Army as a private and rose to major, distinguishing himself in combat in North Africa and Europe and returning home with seven battle stars and the Bronze Star.<sup>2</sup>

Folks in these parts take their military obligations seriously. No one knows

the times the haunting notes of taps have played for the fallen who sleep within these ageless hills, only that reveille sounds afresh in the morning dew. Not far down the river and through the trees lies the National Military Park at Horseshoe Bend where Andrew Jackson's frontier troops and U.S. regulars defeated Chief Menawa's braves in 1814 to bring the Creek Indian War to an end. Follow Highway 280 to the southeast and you come to the town of Camp Hill where Lyman Ward Military Academy keeps the tradition alive. Judge Patterson has long been a Lyman Ward supporter and served as chairman of the Academy's board of trustees. His son Albert is a West Point graduate and retired U.S. Army colonel.

INSIDE THE ROCKY CREEK Baptist Church even teenagers squirming in their seats knew the distinguished man standing in robes before them must be twice the age he was when Alabama voters swept him into office as the youngest governor ever elected in their state. What Tallapoosa schoolchild had not been taught that one of their own was the only man ever to beat George Wallace in a gubernatorial race? Who among their elders missed seeing *The Phenix City Story* about the brutal murder of Attorney General-nominee Albert Patterson in 1954 and how it propelled the grieving son into the maelstrom of Alabama politics?

"No star ever appeared on Alabama's political horizon so suddenly, glittered so brightly, and burned out so swiftly," wrote Bob Ingram, then the editor of *Alabama Magazine*, about the former governor in 1979. "Even now, but a couple of decades after the fact, Patterson's political career seems but a blur across the pages of history." Stepping reluctantly into his murdered father's shoes, Patterson's reputation as a crime-busting attorney general forged a statewide political following and set the stage for his successful bid for the governor's office in 1958.<sup>3</sup>

Television was just coming into its own in political campaigns. Candidates for governor still stumped up and down the state in motorcades, speaking to the crowds from flatbed trucks, kissing babies, slapping backs, and shaking hands. Adopting a catchy political slogan, "Nobody's for John Patterson . . . but the people," the Patterson campaign kicked off at the town of New Site, just down the road from Goldville, before hitting the trail with a popular bluegrass band, Rebe Gosdin and his Sunny Valley Boys.<sup>4</sup> Not unlike a scene from *O Brother Where Art Thou?*, the band warmed up the crowds by picking and singing before their candidate stepped up to the microphone and delivered his Sunday punch.

Three things all fourteen candidates running for governor in the 1958

Democratic primary had in common: they were residents of the state of Alabama; they were white Protestant males; and they were avowed segregationists. Otherwise, given the culture of the times, a candidate would have just been whistling “Dixie.” Some were more moderate in their segregationist views than others, but race dominated the campaign as never before. Attorney General John Patterson planned for law and order to be his main issue, but he gleaned from his travels around the state and the flood of mail he received—he corresponded with more than fifteen thousand voters during the campaign—that people were more concerned about the federal government encroaching on states’ rights and forcing the integration of Alabama’s schools. In the wake of the U.S. Supreme Court’s ruling in *Brown v. Board of Education*, the image of Little Rock Central High School being integrated at the point of a bayonet in 1957 was etched into people’s minds.<sup>5</sup>

Patterson had become widely known as the defender of Alabama’s segregation laws because of legal challenges he was involved in as attorney general to block court-ordered desegregation and to ban the NAACP from doing business in Alabama. A strategy of gradualism (resisting integration by legal maneuvering) was reaffirmed at a closed meeting of Deep South lawyers and public officials in Birmingham in December 1958. “We knew we couldn’t reverse the Supreme Court’s desegregation ruling, but we wanted to buy time, to delay integrating Alabama’s schools until it could be done peaceably, without violence,” Patterson said.<sup>6</sup>

During the campaign and after becoming governor, John Patterson—described as “articulate to a rare degree” by those who heard him—championed the traditional “separate but equal” doctrine of the Southern states.<sup>7</sup> Ironically, the stalling tactics of the segregationists helped to galvanize the civil rights movement and brought matters to a head sooner than might have been. The North, where racial bias was more subtle and less institutionalized, did not have the South’s problems. Throughout the Deep South the righteous movement became a mighty storm of “sit-ins, demonstrations, Freedom Riders . . . it was a violent time.”<sup>8</sup>

In the midst of this storm the young governor’s friendship with President John F. Kennedy—they had met while Patterson was attorney general and JFK was a U.S. senator investigating the crime syndicate—hurt him politically. Relying on his own instincts that Kennedy would win the Democratic nomination and knowing it wouldn’t hurt Alabama to have a friend in the White House, he endorsed Kennedy early in the contest and threw his support behind him at the

Democratic convention in Los Angeles in the summer of 1960. He backed the winning candidate in Los Angeles, but he paid a political price at home. His own pastor chastised the governor from the pulpit for joining forces with a Catholic, and a liberal Yankee to boot.<sup>9</sup>

In the spring of 1961 the governor had misgivings when the White House's bungling of the Bay of Pigs invasion against Fidel Castro's Cuba resulted in the deaths of four Alabama air guardsmen. On the heels of the Cuban debacle, Patterson's split with Kennedy's policies grew when two small groups of Freedom Riders—viewed even by moderate Southern whites as “outside agitators”—rolled into Dixie on Greyhound and Trailways buses to challenge segregation. Attorney General Robert Kennedy's heavy-handed approach when dealing with Southern governors and a widely held view at the time (later debunked by civil rights historians) that the Kennedys actively supported the Freedom Riders left many white supporters below the Mason-Dixon Line feeling outraged and betrayed.

A dramatic sequence of events—during which an embattled Governor Patterson refused to accept a phone call from President Kennedy—ended with the president's brother ordering federal marshals into the state to protect the Freedom Riders from mob violence, and the governor declaring qualified martial rule and breaking out the national guard to quell the disturbance and to save both the Freedom Riders and the ill-equipped marshals from angry mobs. Looking back on his differences with the White House during this volatile period, the governor speaks warmly of John Kennedy, but has few kind words for the president's brother. “It was hard to believe these two men had the same parents,” he said to a reporter a few summers ago.<sup>10</sup>

THE CIVIL RIGHTS ISSUE was so dominant during Patterson's four years at the helm that history has almost overlooked the many positive accomplishments of his administration. Working with state legislators, he fought hard for economic and social programs to better the lives of all of Alabama's citizens—including huge increases in education funding, an accelerated highway program, higher old age pensions, more aid to farmers, and new industry with more jobs throughout the state. He put loan sharks out of business and got the laws changed so low- and middle-income families could borrow money without being gouged by usurious interest rates—legislation having special meaning for Alabama's black citizens. For the first time the state's black citizens had access to installment loans for automobiles, large appliances, etc., with monthly payments they could afford.<sup>11</sup>



Since Alabama's statutes then barred successive terms for governors, Patterson had to sit the next campaign out—looking on from the sidelines in 1962 as George Wallace (an old friend of his father's in the state senate) stole his political thunder. True to his famous promise after the 1958 defeat never to be "outniggued" again, Wallace took over Patterson's winning role as champion of the segregationists and played it for all it was worth. No one in Alabama history demagogued the race issue more than George Wallace—who years later asked forgiveness from Alabama's black citizens—and the voters loved it. They handed Wallace a victory in the 1962 primary with the most votes received by an Alabama gubernatorial candidate up to that time.

Patterson believed he could recapture the initiative when Wallace's term was up, but he had failed to take into account the political shrewdness of his opponent.<sup>12</sup> Wallace was not about to relinquish the advantage to Patterson or anyone else if he could help it. Failing in a bid to change the succession law so he could seek reelection, the governor came up with a stratagem to run his wife Lurleen in his place. With George by her side, Lurleen won hands down. Patterson—having lost his platform and his voters to Wallace—came in a distant sixth with only thirty-one thousand votes. Another four years passed before Patterson ran for public office again. In 1970 he opposed Howell Heflin for chief justice of the Alabama Supreme Court and was defeated. Having remained friends with George Wallace, Patterson worked in two of his old foe's presidential campaigns as well as two of his gubernatorial campaigns. In 1984 Wallace—then serving an unprecedented fourth term as governor—appointed Patterson to the State Court of Criminal Appeals.<sup>13</sup>

Reelected to the appellate court for two more terms, Judge Patterson retired from the Court of Criminal Appeals in January 1997, continuing to serve as supernumerary (retired active judge). During an interview before his retirement, a reporter remarked on the coincidence of his once being Alabama's youngest governor, and now the state's oldest sitting judge. "Isn't that a hell of a thing?" the seventy-five-year-old Patterson said. "Now I'd like to be the youngest anything."<sup>14</sup>

DURING HIS HEYDAY, NEWSPAPERS described the youthful governor as handsome, bright, articulate, strong-willed, and untiring. Some editors warmly referred to him as "Governor John." Even detractors admired his drive and leadership, conceding that he had given Alabama four years of progressive government.

Patterson knows that history will sort out the successes and the failures of his administration, but as he told Bob Ingram twenty-five years ago, there was “a personal, inward satisfaction about some of the things we were able to accomplish which may be the best reward of all for public service.”

The former governor admits to having made mistakes, none more regrettable than his handling of segregation. Turning the clock back to the racial demagoguery that helped get him elected governor in 1958, Patterson said, “In fact we were dead wrong. Black citizens were seeking their Constitutional rights and were trying to better their lives. We should have helped them.” He has declared publicly on numerous occasions that his greatest mistake was not doing more as governor to bring Alabama’s black citizens into the political process. “You start with the vote and everything else follows,” he said. “If I’d done that I probably wouldn’t have gotten reelected, but I didn’t get reelected anyway.”<sup>15</sup>

“Times change. We should remember that,” he told a *Birmingham Post-Herald* reporter in 1984. “When you take an uncompromising position on something, you might live to regret it.” As governor and attorney general he was responsible for upholding the laws that were on the books, but he would not have enforced them so rigidly if he had it to do over again. Particularly troubling to him was the mob violence against the Freedom Riders in Anniston, Birmingham, and Montgomery in 1961. City officials in the latter two cities had promised to provide security for the Freedom Riders, which was their job, but failed to keep their word. The violence not only gave the state a black eye, but embarrassed Patterson’s administration.<sup>16</sup>

Today Patterson is gratified by the number of African Americans who have risen to positions of prominence in the Deep South and in the nation. He said in 1984, “I think the greatest progress we have made in Alabama . . . is in race relations. I think that is good.”<sup>17</sup> On the desk in his home study is a photograph of him standing with a black man wearing overalls. “That’s Earmon ‘Wolf’ Glenn,” he said. “Wolf managed my farm for nearly thirty years. He suffered a stroke in 1991. Best friend I had in the world when he died.”<sup>18</sup>

WHEN PATTERSON BECAME GOVERNOR, he bought the old homeplace consisting of eighty acres on Cowpens Road in Goldville from his uncle, Lafayette Lee Patterson, who had been active in politics in the 1920s and 1930s and served two terms as a U.S. Representative from Alabama. He subsequently acquired adjacent tracts of land, eventually expanding the original Patterson place into a

twelve-hundred-acre farm and fulfilling a dream he had as a boy running barefoot through the hills at his grandfather's side.

About a mile back into the woods from his grandparents' deserted house—sitting right next to the road and beyond fixing up—the governor built a fifteen-acre lake and the Alabama conservation department stocked it with fish. He later added a hunting lodge-style house, with log siding, that was intended as a vacation home or family getaway from the fishbowl of state politics and capital-city lawyering. Then he acquired a registered Angus herd of sixty brood cows and some horses, and hired Earmon Glenn to manage the place for him.

Upon retiring from the Court of Criminal Appeals in 1997 Patterson and wife Tina sold their Montgomery townhouse and moved to the farm—described by a charmed visitor as a “lovely Shangri-La . . . hidden way back from the road . . . log-cabin like and surrounded by a large lake with squawking geese and abundant wildlife.”<sup>19</sup> At that 1995 Sunday swearing-in ceremony in rural Cowpens he told about how he couldn't wait to get away from this place when he was growing up. When he finally did get away, he realized he'd made a terrible mistake. At critical points in his life he always came back here, whether it was to relish a victory, to nurse his wounds, or to gather his strength. “It took me a long time,” he said. “Now I'm home for good.”<sup>20</sup>

In the summer of 2007, veteran Alabama reporter Alvin Benn featured the eighty-five-year-old former governor and his wife in an article for *Cooperative Farming News*. The Pattersons were in good health and strong in spirit, and as they showed their guest around the farm their love for each other, for the land, and for the animals sparkled in their eyes. Patterson conveyed to Benn that this was where he was born and this was where he wanted to be when he died. And when that day comes he is not worried, Benn wrote: “He knows he's had an event-filled life most people can only dream of having.”<sup>21</sup>