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Occasional Publications of the Bounds Law Library, Number One: A Guide to The Howell Thomas Heflin Collection

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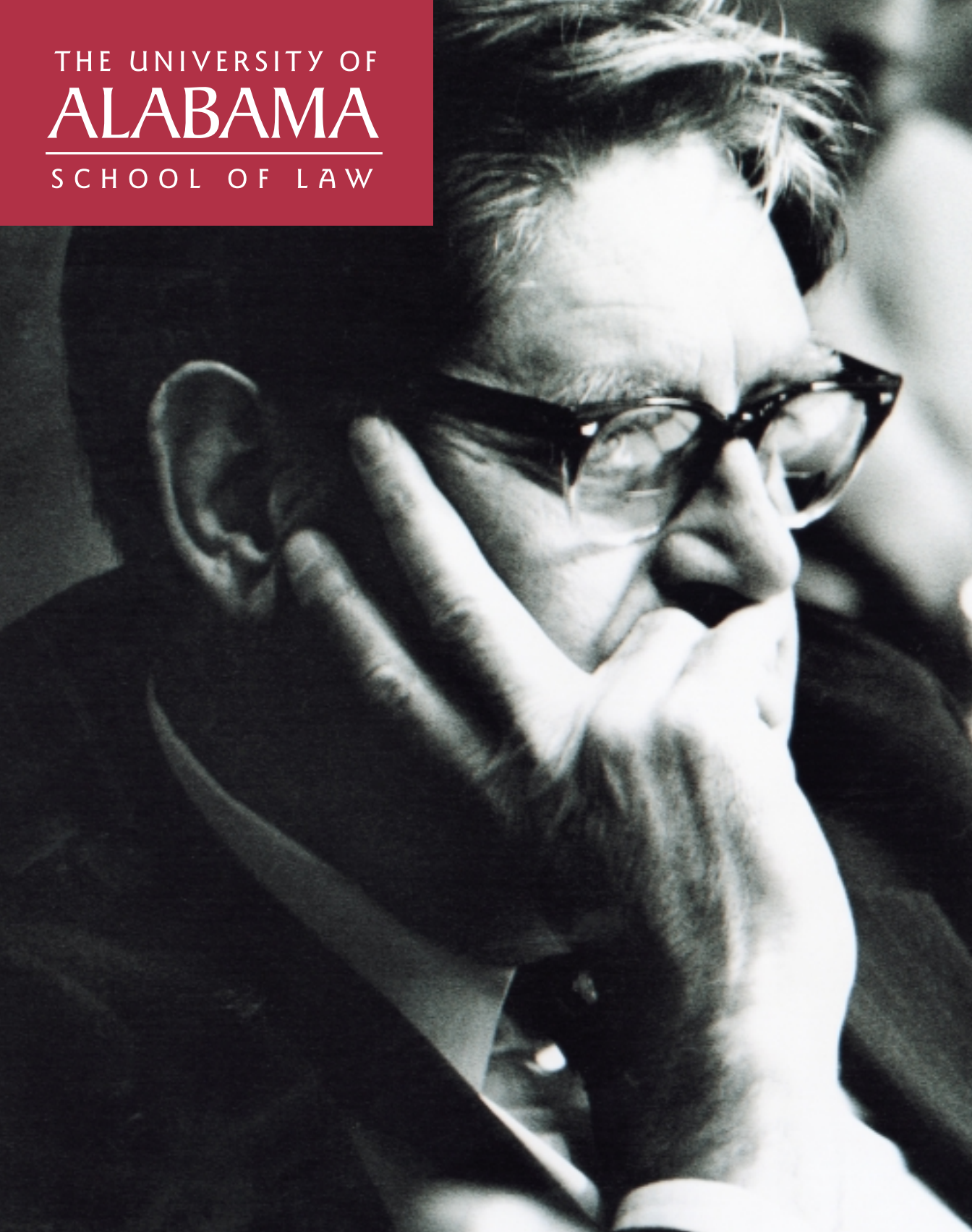
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THE UNIVERSITY OF
ALABAMA
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THE HOWELL THOMAS HEFLIN COLLECTION



THE JOHN C. PAYNE SPECIAL COLLECTIONS of the Bounds Law Library, The University of Alabama School of Law, is named for the late Professor John C. Payne. Its mission is to collect books and archival materials relating to the history of the School of Law, the school's alumni and faculty, the history of the bench and bar of Alabama, and other topics of legal history.

Present special collections holdings include more than 6000 printed volumes, more than 1000 cubic feet of manuscript materials, several thousand photographs, and an assortment of artifacts. Of particular interest are the papers of former United States Senator Howell Heflin, former Congressman Kenneth A. Roberts, former director of the Federal Deposit Insurance Corporation George LeMaistre, and former professors John C. Payne and Jay Murphy. In addition, the Bounds Law Library maintains a replica of United States Supreme Court Justice Hugo L. Black's Alexandria, Virginia, library, complete with Justice Black's books and furniture, as well as an exhibit of plaques, awards, photographs, and political cartoons commemorating the career of former Senator Heflin.

For online access and finding aids, visit the Bounds Law Library web site at <http://www.library.law.ua.edu>.

A GUIDE TO
THE HOWELL THOMAS HEFLIN COLLECTION

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Number One
University of Alabama School of Law
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Howell Thomas Heflin

Howell Thomas Heflin was born June 19, 1921, the son of the Reverend Marvin Rutledge Heflin, a Methodist minister, and Louise Strudwick Heflin. After graduating from Colbert County High School in Leighton, Alabama, he earned a bachelor's degree from Birmingham-Southern College in 1942. During World War II, Heflin served in the Marine Corps. Fighting in the Pacific Theater, he was twice wounded. Awarded the Silver Star and the Purple Heart, he ended his service with the rank of major.

Following the war, he enrolled in The University of Alabama School of Law. Heflin was an able law student, praised both for the quality of his examination papers and (less officially) for his convincing imitation of Alabama's governor, James "Big Jim" Folsom. Heflin graduated with the class of 1948—an especially notable group because many of its members, including Heflin, future Alabama attorney general Richmond M. Flowers, future federal judge Elbert B. Haltom, future congressmen Tom Beville and Armistead Selden, and future law professors Camille Cook and Thomas W. Christopher, would go on to become leaders of the legal profession.

From 1948 to 1971, Heflin practiced law in Tuscumbia, Alabama, enjoying a three-fold career as an attorney, supporter of his law school, and public representative of the bar. Among other positions of responsibility, he served as the founding president of the Alabama Law School Alumni Association (1949-1951) and as president of the Alabama Law School Foundation (1964-1966). During the same period, he was honored by his fellow attorneys with the presidencies of the Alabama Trial Lawyers Association (1963-1965) and the Alabama State Bar Association (1965-1966). From 1969 to 1971, he was chairman of the Alabama Ethics Commission. These years brought Heflin numerous other professional honors, including election to the International Academy of Law and Science (1963) and to the International Society of Barristers (1966).

During these years of practice and public service, Heflin supported an ongoing movement to reform the state's legal system. As early as the 1940s, critics had charged that Alabama's approach to the administration of justice was decentralized and inefficient, still tied to the mandates of the 1901 constitution and the procedural habits of nineteenth-century lawyers. Over the years many concerned individuals—lawyers, laymen, editorialists—had discussed the need for change. Following the creation in 1955 of a Commission for Judicial Reform, an informal coalition of lawyers and judges had attempted to raise public consciousness of the system's flaws and had advanced proposals based on widely-adopted federal models. Yet Alabama lawmakers were unwilling, during those early years of the Civil Rights movement, to depart from a regime with which most of them were com-

fortable. These same attitudes prevailed at the time of George C. Wallace's first election as governor in 1962.

During and after his term as president of the State Bar Association, Heflin worked to keep the spirit of reform alive. Soon after taking office he appointed, in the words of legal historian Pat Boyd Rumore, "over 25 new committees to undertake the process of examining the many issues facing the bar and the legal system of Alabama." Heflin involved more than 250 lawyers in this work, but two of his most important allies were his friend Conrad Fowler and his former law professor M. Leigh Harrison. Both were appointed by Governor Albert Brewer in 1969 to a newly-created Constitutional Commission. Like Heflin, these men were willing to consider sweeping changes in the judicial article of the state constitution. Their goals were to simplify the organization and structure of trial courts, centralize the administration of the court system, simplify and standardize procedure, and eliminate delays. A quiet objective of their work was that of building a legal system capable of serving the people of Alabama regardless of color.

In the elections of 1970, after considerable thought, Heflin ran for Chief Justice of the Alabama Supreme Court. He was elected after defeating former governor John Patterson in the Democratic primary. At this point Heflin was determined to use the influence of his office to effect major reforms. By this time his network of supporters included a broad spectrum of the bar and judiciary, as well as sympathetic legislators. One of the latter was state senator C.C. Torbert, who would succeed him as chief justice. Heflin also proved adroit at gathering the support of major newspapers, and he made excellent use of public meetings and educational events to involve citizen groups in the movement. With skill and tact, the reformers overcame the passive opposition of Governor George C. Wallace (re-elected in 1970), securing passage of a variety of measures, including one which gave the Alabama Supreme Court power to establish uniform rules of procedure.

Most importantly, Heflin and his supporters backed the work of the Constitutional Commission. In the end they submitted to the people (in the form of a constitutional



Second Lieutenant Howell Heflin, November 1942. Fighting in the Pacific Theatre, he was awarded the Silver Star and the Purple Heart, ending his service with the rank of major.

amendment) a thorough rewriting of the 1901 judicial article. Their efforts were rewarded in December 1973 when the amendment passed by a nearly two-to-one vote. Subsequently, Heflin appointed a commission to draft laws implementing the new regime. Such alterations of fundamental law and policy were rightly viewed as extraordinary and were widely praised in the state and national press. Editorial cartoonists depicted Heflin as the savior of Alabama's temple of justice. In 1976, Heflin was named Most Outstanding Appellate Judge by the Association of Trial Lawyers of America.

During the years in which he worked for judicial reform, Heflin developed a political style that might best be described as "consultative." As illustrated above, his method was to convene, confer, and build coalitions. This nonconfrontational manner allowed Heflin and the court reformers to transform an antiquated system without making enemies of those accustomed to its delays. In 1978, Heflin won a seat in the United States Senate, weathering George Wallace's short-lived candidacy and demonstrating conclusively that he could survive in the tough world of Alabama electoral politics. Yet his fundamental approach remained that of a unifier. Throughout three terms in the Senate, Heflin aligned himself with the national-centrist wing of southern Democratic politicians. Perhaps it was because of his bridge-building talents that he frequently found himself at the center of highly publicized events.

Four times chosen chairman of the Senate Select Committee on Ethics (96th and 100th-102nd Congresses), Heflin presided over the "Keating Five" hearings in 1991-1992. He was a longstanding and influential member of the Judiciary Committee, participating in many confirmation hearings (including those of Judge Robert Bork and Justice Clarence Thomas) and contributing to numerous crime control and judicial reform bills, including the Omnibus Victims Protection Act (1984), the Civil Justice Reform Act (1990), and the Knox Child Pornography Act (1994). In 1987 Heflin served on the special senate committee chosen to investigate the Iran-Contra affair.

At the same time he worked hard to balance national and Alabama concerns. Heflin's service on the Agriculture, Nutrition and Forestry Committee won him the title "Spokesman for Southern Agriculture" from the Associated Press. Over and above such committee assignments, he was a major proponent of the Tennessee-Tombigbee Waterway. An advocate of federal assistance to education, he helped secure funding for

scientific research at the University of Alabama at Birmingham. An enthusiastic friend of the National Aeronautics and Space Administration and of Alabama-based space industries, he advocated construction of a space station.

In recent years, Heflin has received numerous awards and recognitions for accomplishments that range across the decades. Some of these honors, such as his Doctorate of Laws from Stillman College and his plaque of appreciation from the Washington-area alumni of Tuskegee Institute, reflect Heflin's role in leading Alabama and the Southeast toward a new era of respect for the rights and contributions of all citizens. Elaine R. Jones, Director-Counsel of the NAACP Legal Defense and Educational Fund, recalled that Heflin approached the civil rights issues which came before Congress "in a judicial mode, weighing the evidence, reading the documents." Like other commentators who have looked back on Heflin's senate years, Jones was impressed by the extent of his influence, noting that "other senators, a lot of them, took their lead from Senator Heflin. Because of his background, and who he is, and his deserved reputation, they would defer."

In December 1996, Senator Heflin deposited his papers with the Bounds Law Library. Stored in the library's John C. Payne Special Collections facility, the Heflin Collection consists of more than 1000 cubic feet of documents, photographs, artifacts, and other materials. In January 2000 the library mounted a long-term exhibition of photographs, awards, and political cartoons illustrative of the various phases of Heflin's career. Like the larger collection from which they were taken, these items reflect a distinguished record of public service. In addition, they reveal many challenges faced by the legal profession, the state of Alabama, and the United States during the tumult of the twentieth century.

Paul M. Pruitt, Jr.
Special Collections Librarian
Bounds Law Library

The Howell Thomas Heflin Collection

United States Senator Howell Thomas Heflin deposited his papers with the University of Alabama School of Law in December 1996. The collection comprises more than 1000 cubic feet of documents, printed materials, and artifacts which are stored in and maintained by the Bounds Law Library's John C. Payne Special Collections facility. Representing the Payne facility's largest single collection, the Heflin Papers document Heflin's years as legal reformer and State Supreme Court Chief Justice, as well as his tenure as United States Senator, offering a rich resource for historical, political, and legal research.

The Howell Thomas Heflin Collection contains materials from the 1920s through 1996; however, the largest part of the collection consists of materials from Heflin's judicial and political careers. In addition, the collection documents Heflin's military service in World War II, his career as a practicing lawyer, and his family history. The collection is ordered into three sub-groupings: papers and materials which are open to public use; papers and materials to which public access is restricted; and memorabilia.

Below are outlines of the arrangement of the collection. Each outline is followed by a brief description of selected series within, and representative items of interest from, each of the three sub-groups. A detailed listing is available in the form of the Heflin Collection Finding Aid which thoroughly describes the collection, providing details of a significant portion of the material on a file-by-file basis. The Heflin Collection Finding Aid is available for researchers and may be obtained from the Special Collections Librarian.

The Howell Thomas Heflin Collection is arranged according to the following sub-groups and their respective series:

OPEN MATERIALS,
RESTRICTED MATERIALS,
MEMORABILIA.

HEFLIN PAPERS: OPEN MATERIALS

- I. Press Clippings and Scrapbooks
 - A. Press Clippings
 - B. Scrapbooks
 1. Senatorial
 2. Campaign
 3. Supreme Court
- II. Speeches
- III. Press—Audio/Visual
- IV. Press—Transcripts
- V. Press—Releases/Statements

- VI. Press—Weekly Column
- VII. Press—Newsletter
- VIII. Press—Mass Mailings
- IX. Photographs and Negatives
- X. Campaign Materials and Memorabilia
- XI. Court—Speeches
- XII. Court—Photographs, Articles,
et cetera
- XIII. Bound *Congressional Record*
and *Senate Journal*



Chief Justice Heflin administers the oath of office to nine Jefferson County, Alabama legislators, November 18, 1974.

The sub-group, Heflin Papers: Open Materials, comprises 237 cubic feet of boxed materials, ten large magnetic tape reels which contain the “Heflin Report” from 1982 through 1983, and thirty scrapbooks, each measuring eighteen by twenty-four inches. These documents are listed either by file name or by individual document and are available to researchers through the Special Collections Librarian.

This sub-group primarily consists of various press materials and speeches that are relevant to Heflin’s career. The series, which is described as press clippings and scrapbooks, is comprised of forty-seven cubic feet of press clippings and thirty large scrapbooks. The material consists of clippings from national and Alabama newspapers from 1974 through 1996. The clippings files contain press accounts of Heflin’s personal life, various campaigns, and political opponents and provide accounts of Heflin’s position on numerous social and political topics. They offer a resource for research into Heflin’s life



The Scrapbook Collection provides coverage of Heflin’s Alabama Supreme Court years, various political campaigns, and his tenure as United States Senator, as well as offering descriptions of Alabama political, legislative, and legal history.



*Senate Ethics Committee
Chairman Howell Heflin
speaks to reporters, c. 1982.*

and career, as well as serving as a primary source for the study of 1970s, 1980s, and 1990s Alabama politics. Some of the clippings files are arranged topically while others are ordered chronologically.

The scrapbooks provide coverage of three topics: Heflin's Alabama Supreme Court years, various political campaigns, and his tenure as United States Senator. They contain clippings that are arranged chronologically within each of the above categories, beginning in 1974 and continuing through 1996. The scrapbooks offer a more condensed approach to the material than the larger series of press clippings that are described above. The Supreme Court scrapbooks contain an interesting collection of articles and letters dating from Heflin's years as Chief Justice of the Alabama Supreme Court. The campaign scrapbooks consist of letters, printed campaign materials, and various newspaper clippings pertaining to Heflin's campaigns and politics in Alabama. The senatorial scrapbooks were prepared by Heflin's staff, and cover his tenure as United States Senator.

Included in the Open Materials category are extensive speech files arranged topically that contain Heflin's speeches from various periods in his career. There is, in addition to file descriptions, a card index arranged by subject and date, listing all remarks and speeches of Senator Heflin that appear in the *Congressional Record* and *Senate*



*Magnetic tape and
videotape examples in
the Heflin Collection.*

Journal. The speech files represent thirty-four cubic feet of the collection, eight cubic feet of which are Supreme Court speech files. Heflin's speeches are catalogued in detail in the Finding Aid by title, subject, or by the name of the staff member who contributed to the speech.

A significant portion of the collection is represented within the series of audiotapes and videotapes of various Heflin public appearances, press conferences, occasional remarks, and regularly scheduled radio and national television broadcasts at which he expressed his position on numerous political, social, and legislative topics. The audiotape and videotape series is arranged topically, and is also listed in the Finding Aid by individual item. The tapes, which represent sixty-three cubic feet of the collection, offer a valuable insight into Heflin's manner and personality that served to make him a successful legislator and politician. Two of the largest elements of this series are "The Heflin Report" and the "Voice of Heflin," which were periodic broadcasts of Senator Heflin interviewing various guests on popular political and legislative topics. Guests such as Lloyd Bentsen, Jim Exon, David Boren, John Stennis, Sam Nunn, Robert Byrd, Bob Dole, and John Glenn are featured on "The Heflin Report." The guests discussed various topics, including the Keating-Five hearings, Iran-Contra, judicial confirmation hearings, education, the crime bills, military spending, and the space program. Numerous other topics presented in various venues addressing Heflin's position on environmental questions, the Tennessee-Tombigbee Waterway, farm issues, and different concerns of constituents are also part of the tape series, and are included in the Finding Aid.

A series of various press-related materials occupies twenty-eight cubic feet of the collection. Components of the series, "Press—Transcripts, Press—Releases/Statements, Press—Weekly Column, Press—Newsletter, and Press—Mass Mailings," are made up of responses and statements by Heflin to the

Political cartoon depicting Heflin as a Democratic centrist, 1981.



Chief Justice and Mrs. Heflin at a 1977 campaign function.



Heflin with Alabama farmers in 1990.



press on various topics during his tenure as United States Senator. Most of these items are arranged topically, and offer insight into Heflin's public response to numerous popular topics.

An invaluable research source is a series of photographs and negatives which comprises ten cubic feet of the collection. The photograph files contain images of Heflin from his childhood to the end of his senatorial career; however, the majority of the photographs are from his years as senator. Numerous photographs of Heflin with personal friends, family, national and international figures, interns, and constituents make up this replete visual collection. The images document Heflin's early years when he campaigned for chief justice, various speeches and appearances

throughout his career, and his years in Washington. The photograph collection records Heflin's role in various Senate committee assignments and hearings including Iran-Contra, Keating-Five, various judicial nominations, and other highly visible hearings of the period. Also of interest in this series are candid images of Heflin with Alabama constituents, during international travels, and at various functions such as the annual dinner of the Alfalfa Club in 1989, at which Heflin, in jest, accepted the nomination for President of the United States on the Alfalfa ticket.

HEFLIN PAPERS: RESTRICTED MATERIALS

- I. Senator's Personal Files—Maintained by Heflin
- II. Senator's Personal Secretary's Files
- III. Scheduling
- IV. Administrative Assistant and Deputy Administrative Assistant
- V. Legislative Director Files and Legislative Reports
- VI. Legislative Activities and Voting Records
- VII. Legislative Subject Files
- VIII. Projects and Grants
- IX. Judiciary Committee
- X. Nominations
- XI. Ethics Committee
- XII. Iran-Contra

- XIII. Mail
- XIV. Press—Administrative
- XV. Personnel Files
- XVI. Vouchers/Office Management
- XVII. Campaign—General Files
- XVIII. Court—Case Files
- XIX. Court—General Subject
- XX. Court—Opinions, Dissents, Concurring Opinions
- XXI. Court—Judicial Article Reform
- XXII. Court—Campaign
- XXIII. Computer Disks—All Files Preceding 1991

This category of the collection contains numerous materials that are not part of the public record. A significant portion contains Alabama Supreme Court case files and is restricted from public access. Researchers must contact the Bounds Law Library, Special Collections Librarian for further details on which materials may be available as well as the procedure for obtaining access to them.

The restricted materials, occupying more than 612 cubic feet, are the largest subgroup of the collection. The more than fifty-three cubic feet of Alabama Supreme Court case files document Heflin's leadership as Chief Justice, and include his most notable opinions, dissents, and concurring opinions. Also within this series of supreme court files are numerous documents that pertain to Heflin's interest and leadership in the Alabama Judicial Article reform legislation.

Other materials within this restricted group are significant not only because of the large volume of documents, but for their richness and importance to researchers. Several of the series within this sub-group are particularly noteworthy. The Iran-Contra series contains thirty-eight cubic feet of documents and taped materials providing a detailed account of the Iran-Contra affair, including five cubic feet of final report materials. Also included is comprehensive coverage of Senator Heflin's legislative voting record. More than seventy cubic feet of documents represent Senator Heflin's legislative assignments on the Senate Judiciary and Ethics committees. These materials include the United States Supreme Court nomination hearings of Anthony Kennedy, Robert Bork, William Rehnquist, and Clarence Thomas, as well as numerous Clinton administration judicial nominations.



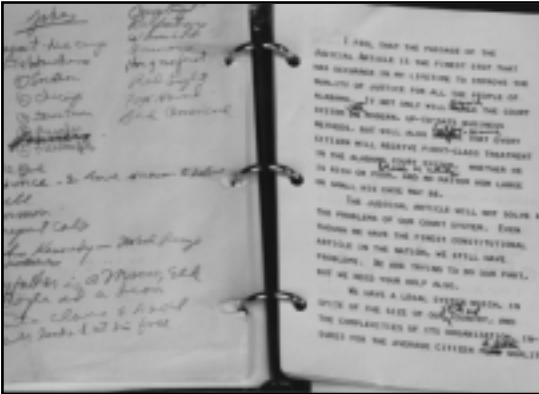
Chief Justice Heflin voting for the Judicial Article of Alabama's Constitution, 1973.

American Farm Bureau Federation Golden Plow Award, 1993, one of more than 1,100 items of memorabilia in the Collection.



HEFLIN MEMORABILIA

One of Heflin's speech notebooks, with handwritten topics for jokes.



The memorabilia in the Heflin Collection is organized separately from the papers and is comprised of diverse types of items. Most of these materials arrived at the University of Alabama School of Law in a shipment of thirty crates. Each crate measures approximately one by three by four feet, and the total number of items contained within

the crates exceeds 1,100. In addition, seven boxes of memorabilia, each measuring one cubic foot, were received by the School of Law in October 1997.

Items of memorabilia comprise a unique collection of artifacts from Heflin's military, legal, and political experiences. This diverse collection contains different types of materials representing significant components of Heflin's multi-faceted career. Many of the items are certificates, awards, and plaques from various individuals, groups, organizations, and governmental entities commending Heflin for his accomplishments and service.

A representative sample of memorabilia may be viewed at the Law Library's Heflin Conference Room exhibit. Numerous photographs and written or printed documents are included in the memorabilia collection. The photographs represent Heflin's activities and interests, as well as various dignitaries, heads of state, political groups, and individuals with whom Heflin has interacted. An interesting assortment of gifts to Heflin con-

*Senator Heflin
at Saints and
Sinners Banquet,
Washington, D.C., 1992.*



tribute to the collection's interest and value. These objects range from gavels, keys to numerous cities, and art objects, to unique commemorative items. Also included is a representative collection of political cartoons that chronicle different stages of Heflin's legal and political career.

The collection of memorabilia items is organized according to the original shipping crate numbers and descriptions of these items can be accessed through the Heflin Collection Finding Aid which is maintained by the Special Collections Librarian.



IN CONCLUSION

Howell Thomas Heflin has enjoyed a long and distinguished career. The University of Alabama School of Law is fortunate to have in its possession such an outstanding collection of papers and artifacts from one of its most distinguished alumni. The Heflin Collection not only represents an historically important group of documents for legal and political research, but also offers law students, faculty, and alumni a link to the past as well as a transition into the contemporary era. Although rooted in the values of an earlier time, Heflin's leadership on issues such as legal reform, civil rights, and ethics represents a break with previous Alabama political tradition, and challenges Alabamians to pursue a new and progressive standard for state politics. As a member of the notable class of 1948, Heflin's career was punctuated by impressive accomplishments in legal, judicial, and legislative fields and should serve as an inspiration to students and alumni.

Samples of Heflin's Supreme Court and Senatorial campaign memorabilia.

Heflin as Chairman of the Senate Ethics Committee during the Keating-Five hearings, c. 1990-1991.

David I. Durham
Archivist, Special Collections
Bounds Law Library



Bibliographical Note

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