

University of Virginia School of Law  
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Oral History Interview Transcript  
Cover Sheet

**Narrator:** Daniel Sullivan

**Interviewers:** Randall Flaherty

**Place of Interview:** Boynton Beach, Florida

**Date of Interview:** February 19, 2020

**Recordist:** Micheal Klepper

**Other People Present:** Meggan Cashwell

**Transcription Equipment Used:** Otter.ai

**Transcribed by:** Jane McBrian

**Subjects:** University of Virginia – Students – Political activity – History – 20<sup>th</sup> century;  
Vietnam War, 1961-1975 – Protest movements – United States

**Forms:** Informed Consent Agreement, Deed of Gift

**Project Title:** Marshaling May Days

**Project Abstract:** Marshaling May Days is a multimedia project produced by Law Special Collections to commemorate the 50<sup>th</sup> anniversary of the May 1970 student protests and strike against the Vietnam War. Law Special Collections conducted oral history interviews with law students, faculty, and a local photographer who were involved in the events.

**Interview Abstract:** Oral history interview with Dan Sullivan, class of 1970. Sullivan discusses the events surrounding the UVA student strike in May 1970 against the Vietnam War, and his participation in the events as a legal marshal.

*Beginning of interview*

**Randall Flaherty:** We're here in [Boynton Beach, Florida], it's February 19, 2019 [2020]. And we're doing oral history for the [University of Virginia] Law Library's May 1970 Oral History Project. We're here with Dan [Daniel] Sullivan. And maybe actually, you could just start by just introducing yourself again.

**Daniel Sullivan:** Sure. I'm Dan Sullivan. I'm here for the winter. And I was part of the class of '70 at the University of Virginia Law School, and participated in the demonstrations that occurred in the spring of that year, primarily originally by—prompted by the invasion of Cambodia. And.

**Randall Flaherty:** If you want to— if maybe start even backing up from there, I mean, I was curious how you ended up at UVA Law.

**Daniel Sullivan:** Well, I grew up in upstate New York, and I did—I love to ski and I wound up going to Saint Michael's College in Winooski [Colchester], Vermont. I loved it there. But when I got out of—when I was getting out of college, I wanted another experience. And I also wanted to avoid the draft, to be honest, and law seemed like a perfect way to do that, it was an exemption at the time. So, I applied to a variety of schools, and was fortunate enough to get into the University of Virginia. So, to me that was a wonderful opportunity. I'd grown up in a small town and I had no experience in other parts of the country. So it was an opportunity to get out of the region and meet new people, and a new area, and also go into law, which I had some thoughts I might pursue, although I wasn't seriously contemplating a life in law, which is what it turned out to be. So, University of Virginia was a very good school. I was very fortunate to get in and so—

**Randall Flaherty:** What was, do you remember what you thought of the culture when you got there? Of the Law School?

**Daniel Sullivan:** Well, I didn't know much about the culture other than, you know, coming from a small school, and growing up in upstate New York, I expected that I was going to be in a culture that I wasn't very familiar with. The culture that you know, people had graduated from Harvard, and Yale, and lots of schools that I, at the time, thought gave them a very substantial advantage, which they did in some ways. Although Saint Michael's is certainly a great school, a much better school now, especially since they admitted women, which calmed the whole school down a bit. When I was there, it was still sort of a party school.

**Daniel Sullivan:** But I didn't have much anticipation of what a life in the South would be like, I thought of Charlottesville as the South. My roommate my first year was a fellow named Swineford, Agnew Swineford, III (1970), he was from Richmond [VA], and he was the first real southerner I got to know. And we decided there were certain things, like sports, we could talk about and other things, like politics and race, that we couldn't.

But I had never really—I had very limited and fairly erroneous expectations of what it was like to be, you know, in the South, and dealing with people from a different background. So that was an eye-opener from the time I arrived. And I remember my first year I went around with my heart in my throat, thinking that I was about to be flunked out because I probably wasn't prepared to step into the first-year rigors of the Law School. Especially since I'd done a lot of skiing, but not a lot of studying. Skiing and drinking beer.

**Randall Flaherty:** Did the southern, like did the southern element sort of enter into the classroom as well, or was it—like are these, are you talking about race in the classroom as part of the culture?

**Daniel Sullivan:** Well, the classroom you know, the first year in law school is a pretty rigorous experience for anyone. You know, it's very high standards at the University and the first year is probably in some ways the most difficult, because you're really getting into a new pattern of discipline and rigor in terms of a process of education, and more responsible for your own. So, that was a tension that everyone felt. I felt that I felt more of it because I was coming from an environment where I wasn't experienced with that, I mean, academic excellence was not one of the highest priorities in my education and in college. I had other expectations, like good skiing and things like that. So, it was an eyeopener. I enjoyed it from the very beginning. One thing I was struck by, which became very clear in my recollections of the events in May of '70, was that while it was a very diverse and different political, there was a gentility, a civility about the people there that was apparent. Even though there were growing political differences, you know, it was a very different environment than the one we find ourselves in today. So it's hard to explain just how I could be surprised by the differences because they were— there was a, you know, the war had not reached the point that people had really become very afraid, become very angry. I mean there was anger, clearly, but there was still this sense of country, there was still this sense of patriotism. There was still the sense of—of American policies being basically fundamentally correct. And all this was being challenged, but in ways that were sort of—were new in my experience. And certainly in an environment where I was disagreeing with many of the people from—that I was now— I was struck by the fact that that disagreement could occur, not just because we were in a legal setting, which is part, of course, what was happening is that, you know, going to a law school, you do expect that your differences will be settled by, by discussion. But it was way beyond that, there was a culture there, there was a southern integrity that I, I hadn't experienced, but I could certainly sense that made that discussion from the very beginning a little bit different. I mean, we, in May when demonstrations finally broke out because of the enormity of the invasion of Cambodia and the anger that had been building from that point, you know, in other parts of the country, Stony Brook [University], they were burning buildings and destroying property. We were honking horns and trying to disrupt traffic as a way of showing that this life as— as usual, as normal, had to stop. That there had to be a recognition that something really abnormal was occurring here and we had to recognize it and react. So—

**Randall Flaherty:** Do you remember right when the, like, right when there's this announcement of the invasion of Cambodia and then there's the news of Kent State, do you remember hearing that news?

**Daniel Sullivan:** Yes. I don't—I—you know it's not one of those experiences, like I can tell you exactly where I was standing when I heard about the assassination of [President] John [F.] Kennedy. I can tell you exactly what I did after that. I can tell you who I was speaking with, you know, I—that is a memory that's seared in my brain. I can't remember that with regard to Cambodia. I do remember that I had just returned from skiing in Vermont. I was trying to settle into what I was going to do to graduate from the University and, and how to make up for many of the classes I'd missed. And I'm sure I heard about it through my roommates. I lived in a house with seven or eight guys outside of Charlottesville at the time. And it—

**Randall Flaherty:** Were you're living with law students or?

**Daniel Sullivan:** They were all law students, [Morris H.] Mo Rosenberg (1970) and Lucien [Wulsin, Jr.] (1970), were some of them. And I was, I guess I would say I was against the war. I mean, at first I was against the war because I didn't want to go to Vietnam [laughs]. I had a personal interest in that, and I had the misfortune that even though I'd gone to law school because it was an exemption, after my first year they eliminated that exemption. So I was fair game and I also won the lottery. My birthday was—it was the only lottery I've ever won in my life, but September 14 was the first date drawn. So I was—I was fair game for being drafted. So, I had that personal stake, of being unwilling to participate in the war. But I was beginning to develop a more political consciousness, so that the war was a symptom of something far more troubling. And that I had to understand that the war didn't happen by accident, there were forces that I had to understand. And so it was a very mixed feeling. You know, I didn't understand even the implications of invading Cambodia until, with the unrest and the repercussions in the way people reacted around the country, I began to see sort of much more of the significance of what the war was causing in the country.

**Randall Flaherty:** And was it a topic that you talked about, like in these early days, like in the Law School?

**Daniel Sullivan:** Well, I think it's interesting that one of the things we talked about a great deal was, “Well, there's going to be demonstrations and as law students, we should participate. But the way we should participate is as legal marshals,” which was one of the things that was a discussion Lucien and I, and a few others had—Neil [McBride] (1970). I remember meeting at our home and talking about how we ought to organize as part of the legal service group that I was involved with. We should take that concept and have little notebooks and provide immediate assistance to anyone who was arrested, because we did hear these terrible things about how police were overreacting, and it was this violence going on and other demonstrations that preceded—  
Charlottesville was a few days late in getting into the demonstration business. So we

saw that as an op—one of the dialogues was how do we protect legal rights in this demonstration, as opposed to how do we invest ourselves in a political protest against an immoral war. And that led to a lot of misgivings, because, you know, I was against the war. And then when we were invited, a number of us were invited, to have lunch with the president [Edgar F. Shannon, Jr.] of the University to commend us on our activities as good law students, and with these armbands and notepads willing to be out in the front lines, you know, representing people who got arrested. You know, I began to think, Well, I don't think the president is against the war. I think I've gotten— there's a little misunderstanding here. [laughs] You see, these legal marshals all disapprove this war if we, we're not approving it because we're participating in a nonviolent way. And so in retrospect, it was an enormously naive type of reaction. And then—but as events unfolded and we began to see some of the excesses, including, you know, ultimately the night that they had the Virginia riot, they read the riot act. And what happened afterwards, both with terms of the police reaction, but also the political reaction. It was all part of a learning experience. That it was now something I was experiencing in my life, not just something that I saw on the news, or that I was trying to avoid in some abstract way by not being drafted, you know. Now it was kind—it'd come home.

**Randall Flaherty:** So I'm interested in this sort of—how this kernel of an idea for the marshal program came about. It sounds like you were, you're law students gathering together and there's some sort of like legal aid group that sort of comes out of it?

**Daniel Sullivan:** Well, I think it was not an idea that came out of Legal Aid. I think it came out of the people who were attracted to Legal Aid and by and large were the core of the legal marshals. Virginia, the University, wasn't one of the first schools that had demonstrations. There was a period, I don't recall exactly, but of days where there was reports of—I remember Stony Brook, in particular, being in the news with violence. And it became clear that the University was going to react and there was going to be a demonstration of some kind. We started hearing about a “honk-in for peace” and gatherings around the president's home. And our own group decided to add to that the “frisbee-in for peace,” which was to add thirty or forty white frisbees that would be thrown in front of the cars to make them brake so they would, or slow down, so they could contemplate the importance of honking and showing that they were against this military complex that was driving us into this invasions of foreign countries. And so, there was a—there's a protest element to it. But we were law students, and in ways that are almost seem naive today, we didn't see that there would be any tension between, you know, providing traditional legal defenses to people who were in demonstrations being arrested by policemen who were probably overreacting. It all seems part of one thing, didn't— it was kind of a shock when someone first confronted me with the idea of, “How could you be involved with the legal marshals, they're part of the whole institutional industrial complex that got us into this damn war.” [laughs] Oh, no, no, no. You misunderstand.

**Randall Flaherty:** So, did this—so where did you take the idea? Once you had the idea? How did you sort of organize the marshals, what was the next step?

**Daniel Sullivan:** I honestly don't recall how we approached the University. But we clearly brought it to the attention of the administration because [Assistant] Dean [H. Lane] Kneedler (1969) was then assigned to be our liaison. And the idea became known in the administration that there would be these legal marshals. I think we actually went out of our way to get some publicity, because we were all also a bit arrogant, and so full of ourselves, and thought this was a way to be, you know, identified as part of this movement. But we did have the imprimatur of the Law School, because that's the relationship with Dean Kneedler was part of that recognition that he kept his eye on us. I think he probably kept his eye on us in more ways than just encouraging us. But. So it came out of part of this idea that we were going to participate in the demonstration. But this subgroup would be involved in not only supporting the demonstration, but trying to make sure that we provided some kind of assistance to people who were arrested. In retrospect, all of it was hopelessly naive, because those that did stay to participate in the arrests were all arrested. They didn't have a moment's opportunity to scribble in their notebooks.

**Randall Flaherty:** And so you got law students to sign on? Was it just law students or was it—

**Daniel Sullivan:** The legal marshals were law students.

**Randall Flaherty:** Okay.

**Daniel Sullivan:** As far as I know, we didn't anticipate anyone else, because the whole point was we were going to, you know, read— make sure that Miranda Rights were read and that there was a phone call and that all the niceties that we expected would be given to people who were arrested would be given. So, and we met, each night, to talk about what was going to happen. The first night of the demonstrations, my recollection is it was fairly well attended, not just by law students, but the whole University was involved to some degree, either against the war or there because there was a concern that the University was demonstrating. So, there wasn't—not everyone approved of the demonstration. There were many students, and particularly in the fraternities, who were quite opposed to the idea that we were disrupting the peace. So, that first evening, my recollection is that there might have been as many as a few thousand demonstrators swelling around University Avenue, and both sides screaming out “Honk!” and throwing the frisbees, and screaming, yelling, relatively obscene things if people didn't honk. And it made a fair amount of noise, although the next morning it was kind of a joke when we read all the papers, the letters to the editor, the people of downtown Charlottesville, a half mile or more away, were disturbed by the noise. You know, it was like a traffic jam would cause about as much, you know. So it's much more that they were existed, it wasn't that they were disturbed, that just the existence of this demonstration was disturbing.

**Randall Flaherty:** Was it hard to meld your role as a marshal and also [inaudible] protest?

**Daniel Sullivan:** Well, I tried to ignore that there was a tension. I was, you know, it wasn't until after the president had invited us into his home to have lunch that I began to see that this wasn't quite a continuity, continuum of, you know, my involvement in the anti-war movement. You know, I—the institution itself was being questioned, you know, including the police and their proper role. So, by the time—I think that the arrests occurred on the third or the fourth night, I don't recall. But each night the attendance at the demonstrations and the energy level of the demonstrations dissipated dramatically. So, that last night I thought it would probably be the last night if it continued. And nothing had you know, Kent State, I don't recall it had just happened or it was about to occur, so there was no major new incendiary effect that was building up another demonstration. And. But it was clear that the University, and certainly the National Guard, had lost their patience. It was, you know, every night the fifty to one hundred National Guards in full riot gear with the batons, and the helmets, and the big boots, and the guns, and the mace, and everything, would line up, you know, at attention, and the Mayflower van would be there. And—

**Randall Flaherty:** That was every night, it was there?

**Daniel Sullivan:** Every night. They came the very first night, and they stood there every night and for hours while the demonstration went on. They didn't get involved actively, they just stood there, but their presence was obviously a threat that, you know, that at some point that force would be used.

**Randall Flaherty:** Yes.

**Daniel Sullivan:** And—but it wasn't necessary to use it as the demonstration progressed, because it didn't escalate, it dissipated.

**Randall Flaherty:** As a marshal, did you end up talking to the police at all? Like in these days before the riot act was invoked? Did you have any interactions with police or—

**Daniel Sullivan:** No, oh no. No, there was I mean, they were not—I think, I don't recall a single interaction. But I do know that we had a—there were communications, because I distinctly remember that we knew that they had been at a coal mine strike in another part of Virginia, and had come directly to Charlottesville, and that they were not at all pleased with a bunch of, you know, rich kids demonstrating on in a foreign war that they didn't really have any investment in. What they did know is that they weren't going home, and they were pissed and tired of it, and tired of this rich, kind of, what they saw, elite group, mostly northerners. That was a big element of it, was this idea that there were outside agitators helping. Which there were a few, but from my experience they stood out like sore thumbs because these—the agitators were typically fifty, sixty, forty, fifty, sixty years old at a college law school demonstration. It didn't take a rocket scientist to figure out who wasn't, you know, in school. And there weren't a lot of people from

Charlottesville coming up to participate in the demonstration, you know, as citizens.  
So—

**Randall Flaherty:** You mentioned communication. How did—we've heard that some of the marshals maybe had walkie-talkies? I mean, did you guys talk to one another while you were out there?

**Daniel Sullivan:** No, I don't think we did have walkie-talkies. I think we didn't have the technology to even consider, know about walkie-talkies. We did have regular mimeograph sheets that were given out, talking about, like, what had happened. And we had something that described the meeting with the president and a general sense of what, you know, you should do if somebody got arrested. It was that kind of communication, but not a—it was a fairly loose group, to say the least.

**Randall Flaherty:** But you guys would put together these sheets every day or who would create these sheets?

**Daniel Sullivan:** Yes, I don't remember who was doing it, but yes, we were preparing a couple of different sheets. And we did prepare armbands, white armbands, that everybody was identified with so there'd be no mistake in case there was trouble. Seems naive in retrospect, what happened. But so that last night, as I understand it, the president, who had been under enormous political pressure—despite the fact that buildings are burning, and people being hurt, and there's violence and death, and police brutality in other places of the country, this was relatively benign—but not in not in the context of the politics of Virginia. And so the president was under enormous pressure to put his foot down and teach these northerners, these organizers, that Charlottesville was wasn't going to put up with this crap. And my understanding is he had a nervous breakdown. I know he did leave and he was hospitalized. And he put in the head of the Physics Department, which was in retrospect a poor choice, because I don't think that was particularly the most humane, thoughtful, politically oriented chairman he could have picked, whose first reaction was to turn it all over to the National Guard who was just licking their chops to end this. And so that after— that evening, there was a reading of the Virginia riot act, which no one that I know actually heard, although, some remember that there was a garbled bullhorn. But, you know, we were up on the hill next to the Rotunda, some two to four hundred feet away or more. Lots of confusion, people [modeling] around, maybe three or four hundred demonstrators, the horns are blinking. You know, the idea that then we understood that the Virginia riot act had been—but no warning that was going to be a Virginia riot act read. In fact, nobody—it had been just voted in months before. But it was very clear when the cops broke ranks, they started running up the hill, these guys in heavy, you know, fatigues and booked in boots and, and of course, they were no match for the demonstrators who were in tennis shoes. I mean, they just took one look at the cops and said, "We're out of here," and they ran up through the Rotunda. And then on the other side of the Rotunda the Lawn, and some of them hid in the Rotunda and some hid in the Lawn. I was standing next to Dean Kneeder at the time and he said, "Dan, they're charging," And I said, "Let's, we're going

to”—he said, “Let's get out of here.” I said, “You bet your sweet ass we're going to get out of here.” [Laughter] So the two of us ran like hell, back to the Law School. And when we got there, it was all enormous amount of confusion. There were people who were with us that had run back to Law School, people had run in all directions. People—we didn't know this the time, but the police had charged the other direction, too, which is fraternity row, which is the most conservative—the one area you wouldn't want to run a bunch of police intent on [arrest]. You wouldn't want to run it in that direction. But they did. And they arrested everybody they ran into, and including anyone for the next fifteen or twenty minutes that actually walked into the University area or was wandering around the Lawn. So when I got to the Law School, Kneedler said, “You know, Dan, it's very serious to have a law student with a police arrest record,” you know, “You should,” you, I should, “Go back and explain to the police that this was really a problem and these legal marshals certainly weren't the blame for the demonstrations. We had lunch with the president.” You know, who was not feeling so well.

**Daniel Sullivan:** And I was naive enough to think this was a brilliant idea. Not, Yes, this is a brilliant idea, you and I will go back. So I, and I had the also misfortune of I rode a motorcycle at the time, I get on my motorcycle, which had been in back of the Law School, and I rode my motorcycle back. So if the police were not ready to accept the legal marshals for what I was at face value purporting to be, you know, this peacemaker, coming in on a motorcycle with long hair was—I didn't have much chance. So I went up to this overweight, redneck sergeant and I go back and I said, “You know, you don't, I'm sure you don't know this, but this is serious, you know. My—legal marshals, who've been arrested, you know, because they didn't run because they didn't expect they had to run, because they're not part of this demonstration. We're here, you know, to get names and take names, make sure there's no police brutality.” I'm telling a policeman this, you know, I'm thinking, What were you thinking at the time? [laughs] Telling a police—and he said, “You're coming with me kid, you're under arrest,” and he grabbed me by the elbow and he threw me into this Mayflower van. I mean a big yellow and green Mayflower van. Now, a lot of the arrests had occurred by the time I had wandered back and did my unsuccessful, you know, plea bargain with the police. So the van was chocked full, you know, and so one of the first people I met was a guy with a pizza. Well, actually that had been eaten by the inmates of the Mayflower van, but it was a Shakey's pizza man in a red and white Shakey shirt [laughter]. And I said, “What the hell did you get arrested for?” And he said, “Well, the babysitter for the president of the University ordered a pizza and I was delivering it, and they arrested me.” And he said, “They ate it.” [laughter] You know, looking at the—turned out that sixty-nine people were arrested that night. Moments later, I ran into Sam [Samuel] Manly (1970), who was the head of the Young Americans for Freedom, which is the most conservative organization at the Law School. And I said, but Sam and I were friends—

**Randall Flaherty:** He was a classmate, right?

**Daniel Sullivan:** He was a classmate, yes, Sam and I were good friends. But we didn't agree on anything. We were like, Agnew, you know, I mean, we couldn't agree on anything, but we were friends. And I said, “Sam, what are you doing here?” He said,

“Look, these policemen they came on my lawn. I told them to get the hell off. It's private property.” And they arrested me. [laughter] I said, “Jesus, Sam.” [laughs] And, he said, “Aren't you— what are you surprised about?” Now I'm learning, you know, oh, maybe there is this police brutality.

**Daniel Sullivan:** Then there was this couple. He was the president—in a tuxedo—of one of the fraternities, and he was there with a woman in an evening gown. I don't know if she was from Mary Baldwin [University] or Sweet Briar [College], but one—she was from one of the schools, and they had a silver chalice with them. And it turns out they got arrested because the fraternity had an annual dinner for the best professor in the, at the University, not the Law School, the University. And they traditionally, the president and his lady friend would walk the entire length of the Lawn carrying this silver chalice that had some significance, and who knows what, but there are a lot of traditions that I didn't understand at the University. And they not only got arrested because they were out there in the Lawn when the police swept through for failing to disperse, but they had wine, they had an unopened container. They got a double whammy. And he was just, he was stunned.

**Daniel Sullivan:** Then there was two guys with—one guy had a broom. And it turned out he was the night superintendent of the University. He was sweeping the Rotunda with one of his assistants, and—Black and a White guy, the White guy was a superintendent, big, heavyset redneck, and they arrested him, he had still had his broom. And he just went into the Rotunda. And. Those are the—I think the people I remember meeting, but then there was a lot of—there was almost seventy people there. And a number of other people that got arrested were the students who were chased down the Lawn, went into some of the rooms. And if you know the University, the people who stay in the rooms typically have very close, long histories with the University in the state, because there's no bathrooms in those rooms. They have to go out into the outside to go to a common bathroom. So, it's not one of the most choice rooms, except that's Thomas Jefferson's architecture and to have your child stay on the Lawn is a sign of real integrity, or, you know, history. And so they arrested a bunch of people in their pajamas. They thought these guys were sneaky enough to get out of their sneakers in time to get in their paj— they had arrested all these guys, and well these were some of the most leading— the sons of some of the most leading politicians and people in the whole state so they. And then in the other direction, some of the fraternity presidents were screaming and yelling about the police not coming into their without, you know, proper authority, and they all got arrested. So, there's four or five fraternity presidents got arrested so—

**Randall Flaherty:** And what's the general vibe it's— in the Mayflower van? Are you all talking with each other or?

**Daniel Sullivan:** There's a mixture of anger and total, total disbelief, because it took a while to understand just how screwed up this— the contents of this van were. It took—I mean it wasn't immediately apparent. And there were some, a few long haired people who looked like they really were—I think ultimately for four or five went to trial, and they

they probably had some, I wouldn't say that they were illegal, but they certainly had some organizational skills that they were employing that were not just spontaneous uprisings over a demonstration. So there was some of that, but probably a handful because anybody who, in their right mind, saw the cops coming. If you can't outrun a guy in National Guard in full riot gear up a hill, you deserve to get arrested. So nobody, nobody really who wanted—who understood that there was a problem got arrested. So the van was filled, and then of course, people who had just milled into University Avenue during that period, they all got arrested, just so—

**Randall Flaherty:** Did you find yourself, like, acting as a marshal at all in the van, like talking about what your rights are?

**Daniel Sullivan:** No, no, the pretense that the marshals had any standing or recognition had been shattered by this guy pulling on my elbow and telling me that I was coming with him after I told them how serious it was, you know, to be arrested. What did become clear is that there was a—on the people like me who came in with a presumption that the police were going to overreact. The sense of righteousness. You know, the more I learned, the more I thought this is not only hilarious, but it just was so self-satisfying, you know, that, of course, forgetting that I was now arrested. And oh, and I had just been accepted at Ropes & Gray to start my legal career. And that's a relatively conservative old law firm in Boston. So they weren't thrilled about the addition to my resume over the, you know, the spring. But there was also this recognition among people who got arrested that something's wrong here. This is not the way this is supposed to work. You know, this is not the way we relate to the police, and this is not the way we expect the police to react to us. We say this is our lawn, stay off it, you don't expect the police to arrest you for it. But they were—it was no discussion. This was all— had gotten to a mass kind of thing there was no, you didn't talk to the cops. They arrested you, the cops didn't consider or seek guidance. They were just arresting everybody and—

**Randall Flaherty:** This might be a good place to just take a quick break. I think we're at the half an hour mark.

**Daniel Sullivan:** Sure.

*[Interview pauses]*

*[Interview resumes]*

**Daniel Sullivan:** So, fast forward a little bit. The logistics of what the police had done became overwhelming because the—you know, the system wasn't ready to accept seventy people who were arrested. So—

**Randall Flaherty:** So, the doors have closed on the Mayflower van, as I understand that, and then they drive you down to the—

**Daniel Sullivan:** The courthouse, as I recall.

**Randall Flaherty:** The courthouse. The Charlottesville courthouse. Okay.

**Daniel Sullivan:** Because we were—there were too many of us to go to the jail. So we, nobody went to a cell, we were all in the courthouse in the rows. And the district attorney and some of the other officials were going around with a clipboard taking everybody's facts and it—I was watching him because I knew what was going to happen and within about twenty minutes or thirty minutes, there were sidebars and you know, and eyes rolling and as the stories came out, they realized that they were sitting on a political mess. So this went on most of the evening. It got pretty late. I remember about one or two o'clock in the morning, a lot of screaming going on in the front. And I came out and it turned out there was a guy who—he had obviously been drinking. He was in a bright green sports coat with bright red pants, and no socks and loafers. And if you could scream politically well-connected southern politician any louder, you—I don't know how you'd do it. But it was obvious, and his son's roommate had been arrested. And he was down there to get his son's roommate out and to show his son that he was a pretty powerful fellow. So he was giving the police a lot of lip, like more lip than any of us had certainly gave them, but also with some pretty colorful language and he was obviously had been drinking. So I said, This is going to be fun. Let's watch this for a while, and so they let him go for a few minutes. And then they arrested him. And his son, who'd been quiet, said "Jesus, they just arrested my father!" And they arrested the son. [unclear] So the guy said, "I'm entitled to a phone call," I remember that I could hear. And they said, "Yes, who do you want to call?" He said, "I want to call the governor of Georgia," I think was a Orval Faubus, but I'm not sure of that, but it was well-known political figure. Now it's two o'clock in the morning. And they're going, "You want—you want to call him?" He says, "Yes, I got his home number, I want to call him." And he called him and it was—you could hear a pin drop. The cops had shut up. I never saw the guy again. His son left, he left. And then later on, a professor showed up—

**Randall Flaherty:** Did the son's roommate—the son's roommate get out?

**Daniel Sullivan:** Oh yes.

**Randall Flaherty:** Okay, with them.

**Daniel Sullivan:** Yes, with him, with them, because whatever happened, he did get the governor. In fact, the governor called the next morning, because he'd obviously been called by the governor of Georgia at home. Because before we left, we were told the governor had been on the phone with the people at the district attorney, who were still trying to sort out what to do. So the end of the evening, we were—a fellow, a professor came, and I want to say his name was [Professor Charles Killian] Woltz, but I don't know.

**Randall Flaherty:** Woltz, yes, I've heard that from other people that were there.

**Daniel Sullivan:** And he was the most unlikely professor, because there were people like [Professor Charles H.] Charlie Whitebread [II], who you'd expect would be involved, who was politically conscious and aware, and tied in and young, and sort of—he probably was against the war. Woltz was somebody that just was old line, salt of the earth, decent human being, not particularly—the last guy you'd think would be—and he put up his house to meet the bail. Or at least he said he was willing to do it. Because it was at that point, anticipated everyone was going to be charged with these felonies, they're felonies. So, we were released, and I was particularly upset because I wanted to go to Washington [DC], because that afternoon was the demonstrations in Washington Square, and I didn't want to have this. If my bail couldn't be met, I was going to have to go back to jail even though they'd let us out. Well, turned out that that morning, the DA decided to drop the charges on about sixty-three or four of the sixty-nine people who had been charged. And so I went off and got myself tear gassed in Washington Square. So I was filled with badges of honor, at this point, beginning a highly steep ascent into the fact that this—the world had it right when the system can overreact. And—

**Randall Flaherty:** I have a question about the—just at the police station, you mentioned Woltz, do you remember seeing other law faculty down there?

**Daniel Sullivan:** Yes, Charlie was there.

**Randall Flaherty:** Okay. And what did they do when they were down there?

**Daniel Sullivan:** They went around, like the DA did, and tried to assess the nature of who was charged and what they were really doing. And after a while, became sort of involved in communicating to the administration and others that, you know, we got a real mess on our hands here. We got—so the DA released these people. And I think it was that evening, the *Richmond Times Dispatch*, if I have that right, I don't know if that's the right name of the paper, came out with an editorial and it said that many of the people who had been commenting about this anti-war demonstration had suggested that the police were brutal, and it was police brutality involved in various parts of the country. And this was part of a, you know, a general, the liberal North particularly feels that this is the way you know, there's—this last night sixty-nine people were arrested for serious felonies, failing to disperse under the Virginia riot act. And this morning, the district attorney had dropped the charges on sixty-four, which either suggests that there was police overreaction and brutality and they completely mistaken about what they'd done, or somebody got to the district attorney and put political pressure on him, who was up—he was up for election. So that next day, we were all recharged. So I have an arrest record, a discharge, and another arrest record, which I've never had punged. And I discovered something they don't teach you in law school, which is that I thought you had a right to a trial under the Constitution, and you don't, you have a right to a speedy trial. And if you don't get a speedy trial, then you have to be—the charges have to be dismissed. But you never have a right to a trial, you can never demand to be tried for a crime. So, all those people that, including myself, that never went to trial, as far as I

know, it's never came up with my bar applications or anything. So it's never been an issue for me. But as far as I know, I'm still charged under this felony in Virginia, which was never, never officially dropped. Although ultimately, the cases were brought against four or five people and the statute was found to be unconstitutional. So I suppose I haven't lost a lot of sleep about it.

**Randall Flaherty:** And how did it play out with your employer, with Ropes & Gray?

**Daniel Sullivan:** So, I had a moral dilemma of whether I needed to report this because Boston was not taking notes on what was happening in Charlottesville, particularly around, you know, getting arrested for Virginia riot act violations. So I—it was a good chance I could probably come back and not ruffle anybody's feathers, but I felt that I needed to let them know. And so I call the managing partner, a guy named Ernie Sargeant, who was a little fireplug of a tough guy. And I explained the situation that I had been arrested and tried to put a spin on it. And it was a long silence and I thought, you know, maybe I'm going to have the shortest career at Ropes & Gray ever. And then he said, "You know, we probably have to get used to more and more of this sort of thing." And that was the last I ever heard of it, never came up in my—I stayed at Ropes & Gray a couple of years, never part of the corporate memory. I mean, never came up again. So.

**Randall Flaherty:** Do you remember, just going back to UVA after these arrests, how sort of the strike sentiment dissipated at UVA, or what happened after, in the days after?

**Daniel Sullivan:** So, the next day, there was a tremendous backlash. And while we didn't, I don't recall that the demonstrations per se, in the "frisbee-in for peace" and the "honk-in," were the center of it. I don't think they were. I think those kind of were left behind. But there was the speeches and immediately the [UVA] president agreed to speak to the—to make an address to the entire student body and there was representatives of the student union that included one of the more conservative students in the student body. I think one of the fraternity presidents who spoke about the injustice that had occurred here, in ways that were very surprising for a school that was basically very conservative and basically didn't know how to have anti-war leanings, although people later had mixed feelings about, you know, war. But there was no question about loyalty, or American values, that were being questioned by most people in the University, so. And I spoke. And I—and by then there were other, there were much worse atrocities occurring, you know, Kent State and other atrocities. And police brutality in true, truly, you know, violent situations that were giving it more and more life, plus the demonstrations in Washington, the tear gassing. So it took on another life that was beyond the demonstrations and the honking that lasted for a few days, and then it, too, petered out. And then it became a question of, well, what do you do with the fact that the school was closed, had been closed for a couple of weeks? And the decision was made to go to pass/fail and essentially, permanently, accept the fact that life had not gone back to normal, it would never go back that year and there was going to have to be an asterisk on this year that it ended with no exams and pass/fail and—which is just fine by

me, because I've been skiing all semester, [laughter] so I wasn't ready for my year-end exams. But, and then of course there were other demonstrations, like the ROTC [Reserve Officers' Training Corps] building was—there was a small sit-in maybe sixty or eighty. These people were more anti-war protesters, people that actually sat in, and there were clearly some agitators who were, by action and by just the way they looked, not local.

**Randall Flaherty:** And you said you were down there at the ROTC building?

**Daniel Sullivan:** Yes, Lucien and I, and I think Neil [McBride] sat in. It was a very nonviolent, nobody broke in, it was open. People sat on the floor. We were there about an hour and they finally—they had by then, they had actually gotten a lawyer to write up a true riot act statement and they got a process server to serve it [laughs]. A process server who was about sixty-five or seventy years old, who was scared shitless. He—I think he thought he was going to be abs- killed! I think he thought they were nothing but communists in this room. And they were obviously bent on mayhem, because they had taken over the ROTC building. And he was shaking like a leaf and he couldn't, he couldn't get through reading the Virginia riot act. So some of the people around him were actually helping him read this prepared, long—only a lawyer could have read this. It was easy to say, you know, you're violating the Virginia riot act, get the hell out. It took about ten minutes. He couldn't read it all, he stumbled over all the legal terms. And there was people actually helping. It was almost a comical—for me it didn't end comically, because everyone did leave when the riot act was read. Came back the next day, it was read again, this time by somebody else who had more force to it. But a number of us got charged with Honor Code violations, which was not a joke because an Honor Code you can't graduate. And the Honor Code was not lying, it was conduct tending to bring disrepute upon the University. And there was a trial, there was a committee that I don't remember the specifics of, although I was called in. And my defense was it wasn't disrespectful, that we were trying to stand up for basic rights that we had, and it went away. I did graduate.

**Randall Flaherty:** Can you just tell us a little bit about what it was like in Maury Hall, it sounds like the first night you were there—

**Daniel Sullivan:** In the ROTC building?

**Randall Flaherty:** Yes, it's sort of, I guess, do you recall why you went down there and then sort of what—

**Daniel Sullivan:** I think people—Yes, we went down there to cause problems. You know, the to ROTC was obviously the most on-campus manifestation of the military complex that we could find, and we were going to disrupt it. Nobody did anything to disrupt it in the sense of destroying records or—it was quite peaceful. There was no damage done that I can, you know, nothing that I know of, although in a cluttered mess was probably there—

**Randall Flaherty:** And this is undergraduates and law students, a mix?

**Daniel Sullivan:** Oh, yes, yes. And I think that by then we had attracted some attention. So I my guess is there were people who were neither, who were attending that as well, who might have had stronger anti-war views and were trying to get involved in something because all around the country there were demonstrations, so. But it was small it was—it couldn't have been more than fifty or eighty, fifty people. And when it was read, there was no—it was slow, but it everyone got up and left and there was no police presence, really, other than this process server, and maybe a policeman or two. Wasn't like there was show a force that forced people out or anything. So—

**Randall Flaherty:** And then, back at the Law School, there's—sorry did I cut you off?

**Daniel Sullivan:** No.

**Randall Flaherty:** There, I mean, people are boycotting classes, like that seems to have started right after sort of the announcement of Kent State, do you remember how that played out at the Law School?

**Daniel Sullivan:** Well, I think pretty much after, I'm not sure when the decision was made to suspend classes, but sometime during this period of—I think that before the big evening where there was—I think that was a Friday. I'm not sure, because I think Saturday was the Washington Square demonstration, but I'm not sure of that, but that—I think classes had been suspended temporarily. And it was after that that the decision was made that they wouldn't be resumed at all, that the year would go into some kind of a ad hoc exam or some kind of—the professors were given some latitude about how—but it all went to, at least in the Law School, it was pass/fail.

**Randall Flaherty:** Yes.

**Daniel Sullivan:** And there was a, you know, people stayed, you know, and there was a lot of discussion. One of the questions you asked was what are my recollections of sort of the tone of those discussions and—

**Randall Flaherty:** You mean in the Law School?

**Daniel Sullivan:** In the Law School, particularly. Well, in the Law School and the somewhat greater community, and that we didn't we weren't just a secular—there were undergraduate professors and some students participated. But my, my overwhelming reaction was that it was a very civil and respectful discussion in context of what we are experiencing today. And I don't mean that we were all, you know, having tea and being very civil with one another at all. But there was a sense of respect, a sense of distance from—That there were values to be talked about. There was a basis for discussion among people, and some of it was generated because some of the more conservative

elements in that discussion were taken aback. There was no question that the police intervention and the way that the district attorney had handled things, and the war itself, had shaken up a lot of people who were pretty comfortable with their own beliefs about the fact that we were obviously doing the right thing in Vietnam and Cambodia. But there was this gentility that I recall now, in retrospect, it was, I think, unique in the sense that I don't think it could be captured again. Whether we've lost it forever, I have no idea, but certainly, in today's political environment, that discussion couldn't have happened. It was, it was, you know, well, the war is going to end and we're going to have to deal with these issues, and people would talk about why did the police do this, you know, in ways that were actually the dialogue, as opposed to hurling epithets at one another.

**Randall Flaherty:** Yes. And I guess I'm sort of curious, as I've talked to people, sort of what were these protests about? I mean, how would you answer that? And if you think about the UVA community at large, there seems to be like, there's discussion. There's a shared experience, but there's also many different perspectives, I guess. How would you answer, like, what were these protests about?

**Daniel Sullivan:** Well, I think there's two parts to that. I think that the original protests were a somewhat growing awareness of the magnitude of what the United States had done in invading another country, and getting itself in an endless pit of this superiority that we all—we never lose. We've never lost a war, and we can just—this naivete that we had the ability to enforce our wills on another country is—And that we would do it to a third-world country that had views that were, you know, politically not acceptable. But once the demonstrations occurred, and the police brutality, a lot of the discussion shifted into more of a, of a political, a local, internal US politics. What is happening in the country, that we're allowing things like the draft to be implemented as a method of having the, you know, the poor and the more disadvantaged people taking on the burdens of our war? Why was there police brutality? What was the, what was the—where were the checks and balances? Where was the—why was this political cover-up occurring, where people who didn't want to examine the facts that there was a horrendous overreaction? You know, you can call it in retrospect maybe understandable, or a bit comical, you know, the Shakey pizza man should not have been arrested [laughs]. He went home probably laughing and wondering if he was going to be nicked for his pizza. But—

**Randall Flaherty:** Was there a particular law school angle on what was happening? I mean, did you just— was there a different perspective among the law students than maybe the undergraduates, just based on where you were in your education?

**Daniel Sullivan:** I think the war might have had a higher political exposure in the Law School, and that the people were probably more concerned about international issues of that nature than undergraduates in general. Particularly when you're in a school and where those values aren't being part of a culture. That was not the case in some of the schools that had more violent protests, where there was already a culture in place, a counterculture, against the war, against the draft, against—there wasn't that kind of

underpinnings at the University. It was a pretty benign environment in which the war kind of forced itself to be recognized, and people had reluctantly come to grips with something's wrong here. We are not, we're not—it's not normal, what's going on now. We've gone beyond whatever the limits are that we've set out, we're getting stuck. However, you know, you politically would, something was wrong. And that was sort of more—was maybe there was more dialogue at the Law School, I don't know. I didn't participate in the undergraduate discussions.

**Randall Flaherty:** Well, we're sort of near the end, but I have a couple, couple of questions about details and such before we conclude, but. I've read about a vigil for peace at the Law School, like outside Clark Hall? I didn't know if you attended that. This would have been on May 5th. So early, sort of early on, people walking outside the Law School with banners. Did you attend that at all?

**Daniel Sullivan:** It, you know, I might have, but it wouldn't—it doesn't stick out in my memory as being something I participated in.

**Randall Flaherty:** And what about the [William M.] Kunstler speech? Did you attend that?  
Do—

**Daniel Sullivan:** Yes.

**Randall Flaherty:** You did.

**Daniel Sullivan:** Yes.

**Randall Flaherty:** Can you tell us what you recall about that, what it was like?

**Daniel Sullivan:** I remember that the hype before it was that this rabble rouser, who was nationally prominent, would be actually come to Charlottesville. Was somewhat of a topic in and of itself, but that he was pretty much—the predominant sentiment was he was a troublemaker who was coming down to foment communist values that he was personally involved with, that we should listen to with tremendous reservations. There were a few people who thought of him as this firebrand, wonderful leader of, you know. But, you know, I don't recall that it was a particularly momentous event in terms of how it affected anybody. I think people came, and he spoke, and he left, and nobody changed their mind about anything other than—

**Randall Flaherty:** Would you have gone as a legal marshal?

**Daniel Sullivan:** No.

**Randall Flaherty:** No, okay.

**Daniel Sullivan:** No, the legal marshals, to the extent they had any reality at all, was more in those three or four nights when we were acting like we actually had a special place in this whole process. You know, we were armband, with the assistant dean of the Law School, you know, discussing things like how would we administer the Miranda rights [laughs] in the event that there was police arrests, you know?

**Randall Flaherty:** That's what you would talk about while you were sort of outside, being a marshal?

**Daniel Sullivan:** No, I think we were talking about everything from, why is the—why are people in Charlottesville so pissed off at horns blowing, you know, the horns blow all the time. You know, maybe the—there was some f-you where there was some pretty bad language that followed if people didn't honk. But it—the conversation was more about that, and then more about, you know, well, why is there not more people out here? Don't people get it that this is really—why is it, why is the attendance falling off? You know, and are people really willing to give up, you know, so easily, after just a couple nights?

**Randall Flaherty:** Were there are women who were marshals?

**Daniel Sullivan:** Yes, but I don't remember that being an issue. Our law school class only had four or five women in it in the first year. The second year was the first year that law school wasn't a deferment, and we lost about forty or fifty students that year. And predominantly, they were made up by the women who should have gotten in as first-year associates, first-year students. So our second-year class went from like four or five women to like thirty women and, and that again the next year, changed that even more—a little bit more. So, while I remember that there were women, I can't tell you that I remember who they were, or the names. But I think it would be odd if we didn't have some but—again, you know, the women's issue was really very rarely discussed. You know, I mean, when you think about a law school of five that, did get people's attention. You know, that was like, what is going on? And then out of necessity to go to thirty without changing the quality of the applicants, you know, that got some discussion. But the obvious inequality of life at the Law School for women was not a particularly politically sensitive question at the time it was—It wasn't, you know.

**Randall Flaherty:** Just as a way of sort of concluding, as you think back on this moment, what, what's the significance for you of these days in May?

**Daniel Sullivan:** I think I lost some of my innocence. I think I, you know, I went to a school that wasn't particularly politicized. I certainly grew up in a community and a family that wasn't political at all. And I had my mother's kind of values of right and wrong, that kind of steered me through thinking about most big issues, like whether we should be in Vietnam. And without a particular background of having read about people who thought about it, you know, so this was a shock in some ways, you know, I didn't see it at the time, I was caught up in the event so much that I didn't have time to reconcile on what's going on with me. But I think when I look back, I think was like the end of some

innocence, that, you know, life was really a lot more complicated than I'd realized. It wasn't just that I went into another culture in the South and they were different, it was there's a whole sense of discord and potential—But I had no idea where we were headed, you know, that when I say I lost my innocence, I really lost my innocence with more of the political events of the last six or seven years. So it wasn't, it was not this bright, shining moment that you know, the world was a tough place, you know?

**Randall Flaherty:** Well, wonderful. Is—we're at the end, but is there anything else you'd like to talk about, the marshals, the days of May, anything that we haven't covered? Either now or after a break, either one?

**Daniel Sullivan:** No, I—it's been kind of enjoyable to go back and remember those days. I mean, you don't have an opportunity, really, to think about them very often. But I don't know of anything that particularly ought to be in a history that I haven't, that I'm aware of, that should be.

**Randall Flaherty:** Well wonderful. That was really terrific. Thank you.

**Daniel Sullivan:** Oh, well thank you for coming.

*End of interview*