

February 20, 1966

Dear Phil,

/By this time you know that CB will not be out at Cal (though there is a possibility that he will be able to get out there during March); the reason he couldn't go is that we went to trial in Ellaville on the Hunter brothers cases (more about that later).

I am enclosing an article by Eugene Genovese in the Guardian, as I think it relevant, in some parts, to the discussions we have been having. I'd be interested in your observations. I guess that basically I agree with you, and maybe the only argument comes down to finding a new name to describe the phenomina you describe as "stalinism" which doesn't drag in so much of an irrelevant (to those who didnt live through the era) past. I certainly have no argument re the Vietnam position and would fight the duBoisers and anyone else who argues for a reduction to the most all-embracing position; a popular front in this regard is as offensive to me, once I start to think about it, as a popular front with "those most progressive elements in the church, organized labor, the democratic party, etc"(the bullshit of Norman Thomas and his buddy Rustin). I guess its just a semantic thing, caused by heavy doses of CP intellectualism during my early years, which makes me freeze up at certain words. Maybe if we just call it the cult of Hosea I can accept it without any problems (because I understand it clearly on this level, being a part of the action and not having to read others accounts of what it is or might be). And speaking of that swine I am enclosing another ~~xt~~ article from the Southern Courier that is very revealing - its a damn interesting paper because certain things seep into it, (tho I cant help feeling that it is unintentional) which let you see exactly where its at). There is the "leader cult" and the religious mysteque of the southern Negro which Miller once wrote about in a letter to you which ~~again~~ provides the fertilizer for a pig like Hosea to grow in. But as the article reveals, there are local leaders who see through him, and are willing to publicly criticize him, tho there is the very real risk of SCLC cutting off support and publicity which the local Movement feels its needs.

I'm returning Murray's letter. I dont have the copy of the letter I wrote you available to see exactly what I said, but perhaps I didnt convey exactly what I felt when I wrote about London and REAL work, etc. What I mean to say is that when you are caught up in something on a day to day level, be it working in SWGa, or in Delano, or with Welfare Rights, what ever it is, so long as it is active participation ~~on~~ something that is happening, alot of things that you might ordinarily get ~~xxx~~ very indignant about fall into proper perspective. To illustrate the point, for all your enormous differences with Harawitz and Phil Davis and Myerson there was a great ~~big~~ deal of time during which you could all work together and accomplish things: things like working on Welfare Rights or raising a library for SWGa or the FSM. Yes, there reached a point where you felt you could no longer work with them, because the differences and the contradictions became more important than the work, but up to that point alot of work was done. Now if you were just sitting around in East Bay coffeehouses and intelectualizing about the Movement and disucssing turns and trends in it you wouldnt have let any~~one~~ of them even sit at your table. This is the difference between London and here. If you aren't doing any more than discussing, or writing, (not that this isn't important) it is just too

easy to bog down in such ~~puritty~~ a quest for purity that you become so sectarian there is only one other guy in the whole worldx you can talk to and you're not sure about him on several issues). I hope I didnt sound "smug" as I sure didnt intend to. I have great questions about the relevance of the work I do here - the only thing that keeps me going is that I feel that on a day to day basis I do see some change in some people's lives - not that I see myself helping to draft the blueprints for the new order. But for all the great split within SNCC the opposite sides can still get together and build a black political party in Lowndes County because the outside enemy is greater than the ~~xxxxxxx~~ internal one.

Id be w very interested to read the Edelman and Clarkson articles on the Rosenbergs. Eventually I want to get hold of the Scheirs book as I know very little about the case.

We spent the entire week in Ellaville on the Hunter cases, but during that ~~xxx xxx~~ time Judge Elliot ruled against us on the injunction against the Sheriff and other in Baker County. Its so god damn frustrating to know that he is the only federal judge we can go to, and that he will constatnly rule against us, no matter what the case. He also ruled against us in the bowling alley desegregation suit. And to add to our lossx column, Judge Bptle in Macon ruled againt us in the suit to have the Americus J.P. election (Mrs Bell) voided. We will appeal these but that means another year or so/.

Rather than go into a whole long explanation of the Hunter case, I am sending you a three page article I ~~xxx xxx~~ wrote after the case was over, and some news clips from the Constitution. I believe that I sent you the initial facts. What happened was this: They knew that they would never get a conviction based on the old jury list (they didnt even have the name of one Negro on the grand jury list and they had about 3% Negro on the trial jury list, but by some statistical miracle no Negroes name had ever been drawn as far bask as anyone can remember (this assumes the integrity of the Judge not to throw a Negro's name back into the box after it has been drawn). So the Judge (who was the same judge who was reversed by the Ga Supreme Ct in the Ralph Allen case in Americus 2 years ago) told the jury commissioners that they had damn well better revise the list. And they did a pretty decent job, relatively speaking. That is, they added about 13% Negroes to the gradd jury list and 21% Negroes to the trial (traverse) jury list. The county is 47% Negro, but under Georgia law you only take jury commissioners from the tax digest (which is about 25% Negro). This is another issue we are going up on appeal on - the exclusion of p the poor from the possibility of jury service. So, using the 25% figure, the amount of Negroes that had wasnt that obvious a discrimination. Add to that the fact that the Judge obviously didnt fuck around when he drew names from the box as the grand jury panel was about 6 or 7% Negro and the trail jury panel was about 27% Negro. And when supeonas were sent out to these potential jurors to serve, practically every Negro called, showed up. This was caused by a combination of fear (they were sent a summons to jury servic and didnt know enough about how to get an excuse from the judge) and also the novelty of finally being called for ~~jury~~ jury duty made them feel a singular honor had been bestowed upon them. A lot of whites (as is normal) didnt show up or got excuses, which resulted in 21 Negroes being on the ~~xxx~~ panel of 48. CB spent the entire day questioning the potential jurors

and managed to get a few more whites disqualified for cause. Then we had 20 preemptory strikes and the state only had 10. So we knocked off the first 20 crackers and wound up with a jur which had 11 Negroes and one white - all male. We ~~were~~ were very disappointed that they didnt acquit our man but looking at it realisticly, for some of these Negroes to hold out for the compromise of voluntary manslaughter and a low sentence (they could have given him 1 to 20 years) and they gave him 6 yrs (which really means he will be out in 2 years on parole, was quite an achievement. Anyhow the people around here feel it is a great victory so that is our official posture. There were some interesting sidelights, like the fact that a few classes of Negro kids were brought to the court by their teacher and the teacher went upstairs to the Negro section (buzzardx roost) whilex alot of the kids sat downstairs in the white section; also Negroes were using the white toilet and fountain (its such a poor county they dont have a Negro toilet and fountain - you just dont drink or whitz at the courthouse if you're black) - and we also heard that a considerable number of elderly Negroes came in and registered to vote white the trial was on. After we got 6 for the younger brother our next problem ~~wax~~ was a great one. We had the older brother who is 19 and therefore could have gotten the electric chair if they found him guilty. We also had used up almost all the Negroes on the list (certainly the strong ones) and we knew that any Negroes remaining would have disqualified themselves by stating that they were opposed to capital punishment & - Negroes are fantastically honest, as a class, in court situations - racist propaganda to the contrary. It is disgusting just how honest they are. If you ask one if a Negro has ever served in a jury over the past 50 years he will tell you he doesnt know; then it turns out that he knows that no Negro has served in 49 years, but he just isnt positive about the 50th year so the honest answer is that he doesnt know. At the same time the Solicitor was about dead from the last trial which lasted from Monday through Thursday and was willing to accept a plea to vol. manslaughter instead of murder and a promise that he would get the same sentence as his brother and also that the judge would recommend that he serve it in the Youth Offender Camp rather than the State Pen at Reidsville which is a nightmare. So we told him and the parents all the information they would need to make the decision and let them discuss it for a couple of hours. They finally decided to take the pleax and not gamble with his life. I had some trouble with this, but looking at it realisticly those crackers were out for blood and they certainly would have given him the chair, or at best, life. Even if we got it reversed on appeal it would have taken longer than the 2 years he'll have to serve this way, so I guess its the wiser choicw. But you can tell Murray that no ~~we~~ one will ever be able to accuse us of the judicial murder of our clients. Anyhow, the week has left us completely exhausted, and next week we go to trial on the Hopkins and Lamar cases (who killed the white bastard in Americus). Tjat one should be a nightmare.