

## BACKGROUND

[From its inception in 1938, the House Un-American Activities Committee (HUAC) was used by right-wing, politically-motivated members of Congress to persecute and punish trade unionists, civil rights activists, peace advocates, and free-speech defenders. Though ostensibly for legislative research, HUAC public hearings were primarily used to smear and incite retribution against those who held opposing political views. In 1958, HUAC held hearings in Atlanta to attack people opposing segregation as Communists or Communist sympathizers. Carl Braden of the Southern Conference Educational Fund (SCEF) and civil liberties advocate Frank Wilkinson refused to answer HUAC's questions about their political beliefs and associations. For refusing to cooperate with the committee they were charged with "Contempt of Congress" and sentenced to serve one year terms in federal prison. See [House Un-American Activities Committee: Bulwark of Segregation](#) for additional background information.]

August 9, 1958

A MEMORANDUM

FROM: Jim Dombrowski

I am enclosing some notes on the Atlanta hearings.

Attorney Austin T. Walden of Atlanta, one of the signers, offered the open-letter as an advertisement to the Atlanta Constitution, but it rejected on the ground that the paper feared a libel suit. The ad was published in the Washington Post and Times Herald on July 31st.

Aspects of the letter which caused the Atlanta Constitution concern were: (1) mention of the situation in Dawson, Georgia; (2) derogatory reference to Senator Eastland; (3) unfavorable mention of the House Committee; (4) in the absence of the original signatures, affidavits from all of the signers would be necessary.

In all fairness to the newspaper, it should be stated that the newspaper had good grounds for fearing a libel suit. The situation in that city as a result of the pressures, largely from politicians, is not a happy one. For example, one of those subpoenaed in Atlanta, in spite of the fact that he had the active cooperation of the American Civil Liberties Union, was unable, after several days of searching, to find an attorney in the city who was willing to represent him.

The Washington Post ad cost \$700. As of today, we have received a total of \$98 to apply on the cost of the ad. This was contributed by the following signers: Mrs. Alice C. Trigg, Mr. Clarence Crayton, Mrs. A. W. Simkins, Dr. Oliver C. Cox, Dr. Hilda A. Davis, Mr. R. E. Moran, Dr. Herman H. Long, Attorney W. Hale Thompson, Mr. James O. Hopson, Mr. George B. Murphy, Jr., Miss Ruth A. Inglis, Bishop Edgar A. Love and Dr. C. G. Gomillion.

If you would like to help defray the expense of the ad, make your check payable to the Southern Conference Educational Fund, Inc., at 822 Perdido Street, New Orleans 12, La., and mark it "For Washington Ad."

July 27: F. W. and I attended the Ebenezer Baptist Church and were inspired by the music and the service under the pastor, the Rev. Martin Luther King, Sr. Rev. King signed the open-letter to the House of Representatives and attended the hearings on the 30th.

### Open-Letter Plays Important Role

July 28: Yesterday in a nationwide broadcast, chairman Walter of HUAC mentioned the open-letter to the House of Representatives which now has 200 signatures of Negro leaders of the South.

Today, Attorney Austin T. Walden, one of the signers of the open-letter, submitted it as an advertisement to the Atlanta Constitution, but the newspaper rejected the ad for fear it would become involved in a libel suit. Subsequently, the ad was offered to and accepted by the Washington Post-Times Herald. It appeared on July 31st.

The open-letter and the signatures were entered as evidence in the hearings. Chairman Willis stated there was "strong evidence the letter had been composed by communists." Signers of the letter were characterized as dupes who did not know what they were doing, and any signers who wished to have their names stricken could do so by writing the committee, he said. Mr. Braden observed that the signers "would appreciate these aspersions."

July 29-31: The Atlanta hearings were conducted by a subcommittee composed of Rep. Willis of Louisiana, Rep. Tuck of Virginia, and Rep. Jackson (R. of Cal.). The two Southerners, of course, have been consistent opponents of civil rights for Negroes. Congressman Jackson is the man who on the floor of the House accused Bishop G. Bromley Oxnam of the Methodist Church of "serving God on Sunday and the communist front for the balance of the week."

From the moment the hearings got underway by an embrace and a welcome by Governor Griffin of Georgia, mentor and sponsor of Gov. Faubus, to the end when chairman Willis spoke in laudatory terms of Attorney General Cook of Georgia and thanked him for his complete cooperation, there was no doubt that a primary purpose of the committee coming South was to strengthen the hands of Griffin, Cook, and other arch segregationists in their efforts to silence and destroy individuals and organizations working in the South for integration.

### Braden and SCEF Under Attack

Carl and Anne Braden, SCEF field secretaries, were subpoenaed in Rhode Island, where they were vacationing. When Anne insisted that commutation be provided for her two children, the subpoena was indefinitely postponed.

Carl caught the committee off base when, in response to a question concerning his educational background, he told them he was educated for the Catholic priesthood, but was now an Episcopalian. They dropped that line of questioning, but came back again and again to the subject of religion.



Carl was handed a photograph showing himself and Anne, Aubrey Williams and myself entering the American Red Cross Building in Atlanta to attend an SCEF Board meeting presumably on December 7th. Mr. Braden stated that the photograph evidently was taken by a spy from a building across the street. The Georgia Commission on Education, set up by the legislature to maintain segregation, has had a photographer taking pictures of all interracial meetings in the city. When he forced his way into the Episcopal Cathedral and took a picture there, there was a violent reaction by the public.

Rep. Jackson said he believed the SCEF had been cited as a communist front. Mr. Arens corrected him but said the committee "may consider" a citation of the Fund as a communist front.

### Two Test Cases

Braden answered questions freely, but refused to answer questions concerning his beliefs and associations, for example a question as to what he was doing in Atlanta on December 7th. He did not invoke the Fifth Amendment and thus challenged the committee to cite him for contempt and prosecution in a conscious test case of the constitutionality of the committee. Braden was represented by SCEF Board members, Bishop C. Ewbank Tucker and John Coe.

Mr. Wilkinson gave his name, but refused to answer any other questions. Mr. Wilkinson, with the cooperation of the American Civil Liberties Union, was laying the basis for a constitutional test of the mandate of the committee. He had done this once before in Los Angeles, but nothing happened.

July 31: In paying our bills at the Atlanta Biltmore Hotel, I received the usual itemized statement, but the account for Mr. Wilkinson showed only a total amount and no details. When I asked for a detailed statement including the schedule of long distance calls, the clerk said the schedule was missing and I would have to see the auditor in order to get a duplicate. The auditor looked in his files where duplicates are filed and exhibited great surprise when he found it too was missing.

At this point an assistant manager of the hotel appeared and whispered to the auditor. They went into the hall for a conference. After about an hour of this shilly-shallying, a copy of Mr. Wilkinson's bill was finally produced on a duplicating machine, but the original was never found for the obvious reason that it was in the possession of Dick Arens. When Mr. Wilkinson was on the stand, Arens flashed the statement and asked about the long distance calls.

### The Role of the Professional Informer

The terrible thing about these un-American hearings is that they usually employ one or more professional informers who will smear scores of people who never have a chance to cross examine the witness and whose competency is never established. Often these informers are ex-convicts and moral perverts, but that is never brought out and their word is taken at face value.

In Atlanta the professional informer was one, Armand Penha. Earlier in Boston, Penha was accused by Miss Olga Garczynski, a factory worker

from New Bedford, of having "courted" her, led her into communism, abandoned her and finally named her as a red to the House Committee (Boston Herald, March 20, 1958). Whether this woman was telling the truth or not, I have no way of knowing. But I do know that from the time of Judas, people who will betray former friends for money are not always trustworthy. Furthermore, I know from my own experience that these Government committees will stoop as low as men can get in their snooping, spying and defaming.

In the New Orleans hearings conducted by Senator Eastland, Aubrey Williams and myself were confronted by a little worm of a man, John Butler, who testified that he knew us both as communists. Both of us, without invoking any protection from constitutional amendments, the fifth or otherwise, called the man a liar and invited a perjury trial and challenged the man to go outside the court room and repeat his charges and face a libel suit. The man refused and neither of us were prosecuted. The reason is clear. Although we did not know it at the time, subsequently we learned that this man, Butler, had a police record extending over 20 years. Senator Eastland did not dare permit him to be cross examined.

The Atlanta Constitution on August 3rd stated that "the Atlanta hearings seem not to have been very productive." The results the article continued, add up to something like this: (1) Communism is not a present danger in the South; (2) Communist influences in Georgia are at an exceedingly low ebb; (3) "The Southern Conference Educational Fund, Inc., may possibly at some future date be cited by the House Un-American Activities Committee as a communist front organization." The key to the real purpose of the committee may be found in the final sentence.

"Come Over and Help Me"

Now the "Un-Americans" have returned to Washington. They left us as they found us. So far as the violence, the bombings of churches and synagogues, the purging and intimidation of Negro voters, the defiance of the national government by men in high places - these and other "un-American" acts go on, while Southerners of good will cry out to their government, "While you defend freedom all over the world, when will you help us make freedom meaningful in Georgia, Mississippi, Alabama, Louisiana, Virginia, and in other Southern states"?