

MEMO*

TO: C.O.F.O.

RE: CENTRAL ISSUE IN MISSISSIPPI CIVIL RIGHTS STRUGGLE

FROM: BOB MOSES

The Civil Rights Movement has reached a stalemate in Mississippi. The state has successfully halted all direct action movements, large and small, by arresting the demonstrators and their leaders, setting huge bond fees, long term jail sentences and extending the court cases. Parents are afraid of the charges being made to stick against their children; Civil Rights organizations are afraid of depleting their finances by huge bail fees; demonstrators fear being kept in jail for one year or more; the three Negro lawyers in the state are overworked and unable to handle the ever increasing load of cases. In the wake of the demonstration the pressure against the Negro community is overwhelming.

The Freedom Rides persuaded C.O.R.E. the time was not now for direct action in Mississippi. The last Jackson Campaign culminating in the death of Medgar Evers persuaded the N.A.A.C.P.—S.N.C.C. has confined its activities to Voter Registration Campaigns and S.C.L.C. to "Citizenship Education."

Voter registration work has been agonizingly slow. The Negro communities are shot through with fears, from the "Metropolitan" Jackson community to the rural farm communities. There has, however, been some progress in organizing some Negro communities and we have had a role to play in the court cases developed by the Department of Justice. We have not, however, been able to get people registered, and, neither has the Department of Justice.

Hattiesburg, in Forrest County, provides the most flagrant example of the stubborn refusal of Mississippi to yield to change and the impotence of the Federal Government to force them to do so. They have been in court for five years and two National Administrations, in an attempt to get a handful of Negroes registered. They finally won a court order from a three judge panel of the 5th Circuit Court of Appeals in July, 1963. Justices Tottle, Brown, and Wisdom ordered the registrar to put a specified list of people on the books. The registrar has, to this date, refused to comply, the people are not yet registered and the Department of Justice is back in court, in an effort to put the registrar in jail.

Nevertheless, apart from an all out declaration of war by all the civil rights organizations and their allies, the Federal Government has the tools which can possibly work constructive political change in Mississippi within the next five years. The forces of the Federal Government are focused in the person of the Attorney General and in the sweep and persistence of the suits filed by the Civil Rights Division of the Department of Justice. These are in turn all focused in one mammoth suit filed against the state. This suit seeks to [push] the courts [to] declare the [Mississippi] constitutional interpretation test unconstitutional [according to U.S. Constitutional law]. It goes farther. In it, the Department of Justice argues the theory that since Mississippi has denied Negroes equal educational opportunity, they cannot require them to pass literacy tests in order to vote.

*This is a facsimile copy of a memo from the summer of 1963 (The original is in bad physical condition). All additions by the writer are in square brackets.