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If Only Neshoba County Were In The Congo

If the U.S. felt as deeply about racist murders in Mississippi as it does about racist murders in the Congo, there is much it could do as a government and as a people. It would be utopian to expect paratroopers to be dropped on Jackson to protect Negroes endangered by a State virtually in rebellion as we dropped paratroopers on Stanleyville. It may not be possible even to force an impartial trial of the men arrested for the murders of the three martyred civil rights workers, Schwerner, Goodman and Chaney, a crime unpunished for six months, though the circumstances have been an open secret in the community, where their killing was cold-bloodedly arranged. But the Federal government, the Congress and the better conscience of the country have immediate means to act against the system of white supremacy which these murders, like countless forgotten others in the years since Reconstruction, were meant to enforce by naked terror. This is what could be done:

The Crime of 1890

The right of Mississippi's five Congressmen to their seats could be denied when Congress convenes next month until it has passed on the suits filed here a few days ago to contest their election. These suits call sharply to public attention for the first time in this generation that the State of Mississippi has been violating the conditions under which it was readmitted to the Union in 1870. One of those conditions was that the "Constitution of Mississippi shall never be so amended or changed as to deprive any citizen or class of citizen of the United States of the right to vote who are entitled to vote by the constitution herein recognized." The words are those of the 1870 statute readmitting Mississippi to the Union. The constitution "herein recognized" was that of 1869 which granted the vote to all male inhabitants 21 or over who had resided in Mississippi for six months and were not insane. Since 1890, when there were 70,000 more registered Negro voters than whites in Mississippi, the State has embarked on a series of discriminatory election law changes which have reduced the number of registered Negro voters from 189,884 in 1890 to 23,801 in 1961. There could not be a clearer case of electoral fraud and racial oppression.

In three of the five Congressional districts, the seats are

Detente Preferred to MLF

We hope that on the eve of the Johnson-Wilson talks the White House noted two developments imperfectly covered in the U. S. press. One is the rising opposition in Congress to MLF: the latest dissents were those of Sen. McGovern and Reps. Brademas and Reuss—these two on their return from Europe reported even the Germans privately lukewarm to MLF. The other was the action taken by the Western European Union, the "Parliament of NATO." Its resolution for a European nuclear force, which our press represented as an endorsement of MLF, was passed only after all reference to MLF in it had been excluded; even then the vote was only 37 to 15 with 9 abstentions. But a resolution unreported here calling on the NATO powers "to make east-west arms control and the normalization of relations between European powers the overriding aims of their foreign and defense policies" (London Times, Dec. 3) was passed unanimously. The W.E.U. preferred detente to MLF.

contested by three candidates of the Mississippi Freedom Party, Fannie Lou Hamer, Victoria Gray and Annie Devine. They claim that the elections held by their party were the only ones which conform to the non-discriminatory standards established by Congress when Mississippi was readmitted to the Union. Four years ago, in the election contest of *Roush v. Chambers*, the House by resolution refused to allow Chambers to take the oath of office though certified by the Indiana Secretary of State. Both men were given pay as Congressmen, office space and the privileges of the floor until the Subcommittee on Privileges and Elections had reported and the House acted, when the contestant Roush was awarded the seat. There could be no better rebuke to the racist atmosphere which condones the killings of the martyred three than the passage of a similar "in all fairness" resolution when Congress convenes giving these three brave Negro women the privilege of the floor until their challenges have been decided. The effect, the world over, would be electric as a symbol of America's determination to see racial justice done.

The liberal "Study Group" in the House, which hopes to see its number increase to 175 with the new session, should

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For 40 Days MFDP Counsel May Do What Justice Dept. Should Be Doing

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declare this its No. 1 Battle. It will make a mistake if it limits itself to an attack on the seniority and party privileges of Mississippi's John Bell Williams and South Carolina's Albert W. Watson for having supported Goldwater. The White House is reported ready to forget and forgive such peccadilloes; if this is true, it will pull the rug out from under the liberals. But the issue of the Mississippi elections can be fought independently of the White House. Though the elections subcommittee is chaired by Ashmore of South Carolina and all but one of its Democrats is a Southerner, it must submit a recommendation to the House. If sufficient pressure is generated, it can be forced to hold hearings on the evidence which will be submitted to it. Under the rules governing such contests, the seats will remain in doubt at least until next July. By then the Supreme Court will have heard and may have decided the case of *U. S. v. Mississippi* in which the Justice Department is asking that all the discriminatory voter laws enacted by Mississippi since 1890 be declared unconstitutional. The laws attacked in the election contests are the same ones attacked by the government in its suit. This offers the House liberals powerful leverage.

A Hitherto Unused Weapon

Whatever the liberal Congressmen do, the election laws give the Mississippi Freedom Democratic Party a novel weapon. Within 40 days of the filing (Dec. 3-4), the Congressmen must furnish their answers. Within the period of 40 days from their answer, which will begin in January, attorneys for those bringing the challenges are empowered by law to issue subpoenas and take sworn testimony from anyone in

Mississippi who has information bearing on the alleged illegality of the elections. During that period volunteer teams of counsel can do what the Department of Justice and the Civil Rights Commission ought to be doing. The challenges rest in part on acts of terror to discourage the voter registration drive. Many of these are alleged against Mississippi law enforcement officers themselves. Such acts are a clear violation of the Federal civil rights laws even as most narrowly construed, and the interrogations should lay the basis

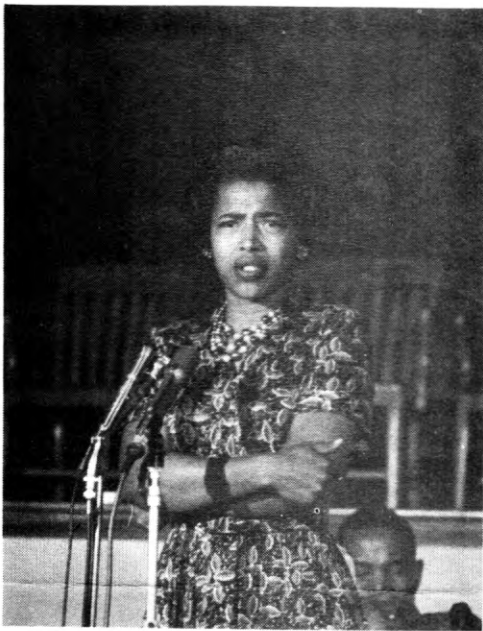
not only for a successful election contest but for Federal prosecutions. Wm. Kunstler and Arthur Kinoy, counsel for the MFDP, have already served notice on the Attorney General and the Civil Rights Commission of their plans and asked that observers be assigned to go with these teams of lawyers, to pave the way for prosecution where warranted. During those 40 days much can be accomplished if enough volunteers and funds can be mustered. A memorial fund to the Martyred Three is being established thus to attack the racially stacked electoral system they fought against at the expense of their lives. (The MFDP's Washington headquarters, for the memorial fund and volunteers, is at 1353 U Street, Northwest).

Those whose consciences are stirred may also by letter and otherwise bring pressure directly upon the White House (1) to make sure that the FBI and Federal marshals provide protection to the lawyer-teams in the election challenge and (2) speed up action under the new regulations for withholding Federal funds from communities which practice segregation. This is what Mississippi most fears.

SUPPORT THE CHALLENGE

THREE LADIES AGAINST A SYSTEM — THE FREEDOM CONGRESSWOMEN FROM MISSISSIPPI

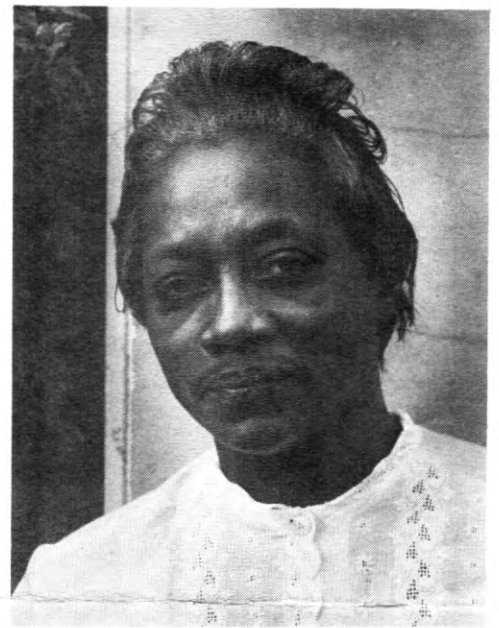
Mrs. Gray



Mrs. Hamer



Mrs. Devine



WHY THE CHALLENGE IS NECESSARY TO LAW AND ORDER IN MISSISSIPPI



This is the Freedom House in Vicksburg, Mississippi after it was bombed last September. Fortunately no one was badly hurt although there were voter registration workers in the building at the time. No one has been arrested for this crime to date.



The Society Hill Baptist Church in McComb, Mississippi. Nine white men accused of this and numerous other bombings in McComb were given suspended sentences by a District Judge in McComb because "they had great provocation." All the accused are now free.