

SNCC RESEARCH
JUNE 22, 1965

WHY DID JOHNSON
APPOINT A RACIST JUDGE FROM MISSISSIPPI?

On June 17, 1965, after three days of demonstrations in Jackson, Mississippi, President Johnson announced that he had appointed former Mississippi governor J.P. Coleman to the crucial Fifth Circuit Court of Appeals.

The appointment received warm approval from plantation owner Senator James Eastland of Mississippi, who said he would supervise confirmation hearings for his former "rival" in past political contests.

Two days later, twelve members of the Mississippi Freedom Democratic Party were arrested while trying to see the Clerk of the House of Representatives about his refusal to print evidence the MFDP had collected to challenge the five Congressmen from Mississippi. Judge-to-be J.P. Coleman is one of three lawyers representing the Congressmen. As such Coleman has contended that the Challenge has no legal basis, despite numerous House precedents to the contrary.

The seat to which Johnson appointed Coleman has been vacant for eighteen months, since the death of Judge Ben Cameron. Why, then, did the President choose this particular moment to honor J.P. Coleman? The weeks of late June are a delicate time in the campaign to bring the Challenge to an open test in the House, and the Fifth Circuit is a post from which Coleman may rule on Mississippi's present attempts to avoid implementation of the voting rights bill.

Did Johnson, regarded generally as a brilliant politician, use poor timing was this simply contempt? Contempt, that is, for the 149 Congressmen who supported the Challenge in January, and for the undisputed rights of half a million Mississippi Negroes.

Who is J.P. Coleman and what has he done? After serving as secretary to Mississippi Rep. Aaron Ford and making the acquaintance of Lyndon Johnson in the early 1930's, he won election to a series of state offices and became governor in 1955. In his several capacities Coleman got a ring-side view of the reign of terror that was and is still Mississippi. During his term as governor, for example, Mack Parker was lynched, while Coleman pushed through the state legislature intended to legalize, and thus preserve, segregation in Mississippi. Negroes under Coleman's administration, of course, didn't vote any more than they do under Paul Johnson.

Coleman's statements during his unsuccessful campaign for governor in 1963 against Johnson allowed the rabid Johnson to call him a "moderate". Running through his speeches, however, is the talk of a "smart segregationist". He blamed Johnson not for being a segregationist in his handling of James Meredith, but for being stupid enough to provoke federal action.

Coleman advocated tactics used in Alabama, where he said a Negro was allowed to apply to a university and then left to the mercy of the students, so that he "stayed 90 days and then his health got bad and he left."

Throughout the campaign Coleman claimed that as district attorney, circuit judge and attorney general he had succeeded better than Johnson in preserving segregation. And on the eve of the primary run-off, Coleman "promised", said the Greenwood Commonwealth August 26, 1963, "that if elected (he) would do all in (his) power to maintain segregation."

It is hard to believe that, with such a record, Coleman would staunchly defend the rights of those whom he has helped to oppress. If former governor Coleman is really the liberal-in-disguise some people claim he is, then it is hard to understand how he could live with himself.

Johnson, then, has appointed a racist to defend civil rights in the Deep South. Could he have done otherwise?

Despite a lot of rationalizing in print to the effect that the Fifth Circuit is overburdened, (1) it did without one judge for eighteen months and without a second for six months, and (2) the Circuit found it possible to use judges from other (less racist) Circuits to handle cases.

Despite the inevitable excuse that this vacancy belongs by custom to a Mississippian and that by custom the racist Senators Eastland and Stennis of Mississippi therefore have a say as to who shall be appointed to this choice post, Johnson himself didn't respect the choices of Texas' political leaders in picking judge Homer Thornberry for the court's "Texas" seat. Would Johnson rather cooperate with racists than with proponents of the civil rights he says he advocates?

Coleman's appointment to the court which will decide the validity of his state's new voting laws is, in the long run, one more cruel insult to the people of this country. If Coleman is the best man available, then there is no need to appoint anyone.