

Lyndon was running true to form this past week. He sent to the Senate the name of Governor J.P. Coleman, of Mississippi, to replace the dead Ben Cameron on the Fifth U.S. Circuit Court of Appeals. He did the deed on June 18.

On June 20 the ABC TV network showed the movie "Judgment at Nuremberg." We commented on how appropriate it was that ABC showed this movie on the night of March 7, when, that very afternoon, the Alabama police had broken up the Selma march with their usual Nazi tactics. We don't know why ABC repeated the movie so soon after the March 7 showing. We doubt that it had anything to do with Lyndon's appointment of Coleman to the Federal bench. But it was an even more appropriate time to show the film.

For the benefit of those who haven't seen the movie--it is an account of the trial of four Nazi judges who are accused of culpability in the murder of millions of Jews during the Nazi regime in Germany, because, as judges, they adjudicated the genocide laws of Nazi Germany and made no attempt to discredit the entire regime by denouncing it from the throne of their prestige as judges.

Coleman is as well qualified for the position of Federal judge as were the Nazi judges. He has served as both Attorney General and as Governor of Mississippi. As the highest legal officer of the state, and as its executive head, he enthusiastically enforced and administered Mississippi's genocidal laws. As the state's highest elective officer he eagerly sought the votes and support of felons such as those who murdered Herbert Lee, Megar Evers, Lewis Allen, Goodman, Schwerner, Chaney, and countless others whose names are lost to history.

When Coleman was running for Governor against Paul Johnson in 1963 he bragged that he knew how to handle such things as the integration of Ol' Miss much better than Johnson had. He cited his record in the case of Clennan King, whom Coleman had committed to the insane asylum for trying to intrude his black face into the pristine whiteness of Mississippi higher education.

By making this appointment when he did, during one of the crucial periods in the challenge to the seating of the Mississippi Congressmen, Lyndon has delivered a gratuitous slap in the face to every Negro and white in the U.S. who has worked for and supported the challenge. Coleman was the lawyer who represented the Mississippians in the challenge. (One supposes he will, nominally at least, now dissociate himself from the challenge, though, doubtless, his advice and legal expertise will still be available to his chums, the racist congressmen.)

We think it's really important that Lyndon be defeated in this

appointment. We think it important that American demand of their Senators that the appointment be rejected. But, even more important is what this appointment shows about Lyndon.

We don't see this as a cause of great indignation; we don't see it as a basis for breast-beating and teeth-gnashing; we see it as the final evidence (if, indeed, any more were needed) of the complete cynicism of Lyndon Johnson. We think it is evident now, if it wasn't before, that Lyndon could preside over the extermination of Negroes in the U.S. with an aplomb the same as that with which he could mouth the syllables of "We Shall Overcome." We think Lyndon is the blood brother (apt phrase) of those judges of "Judgment at Nuremberg" who could order the extermination of 6 million Jews without a second thought because, you see, "it was the law."

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The U.S. Senate must now confirm Lyndon's appointment of Coleman to the Federal bench. The matter will be heard first by a subcommittee of the Senate Judiciary Committee. The members of that subcommittee will be appointed Senator James O. Eastland of Mississippi.

We now understand that the subcommittee will hold a public hearing next Tuesday, June 29, at which all persons favoring and opposed to the appointment may state their cases. The subcommittee will then report its recommendations to the full Senate Judiciary Committee which must, by a vote of its sixteen members, report to the full Senate. Then, the full Senate must vote either to confirm or to reject the appointment.

It is impossible, at this writing, to know who will comprise the subcommittee. But we do know that a majority of the full Senate Judiciary Committee is composed of Senators whose entire careers are based on the proposition that they are sincerely opposed to racism and in favor of equality before the law. Dodd of Connecticut, Hart of Michigan, Long of Missouri, Kennedy of Massachusetts, Bayh of Indiana, Burdick of North Dakota, Tydings of Maryland, Scott of Pennsylvania and Javits of New York constitute a solid majority of the Committee. If these nine Senators report the appointment unfavorably to the full Senate, it is virtually certain to be rejected by that body. If they report it favorably, then in all likelihood Coleman will become a U.S. judge. There is no reason to think he will not remain just as true to the "Southern way of life" as a judge, as he was as Governor and Attorney General of Mississippi.

So all the fine words spoken in the Senate during passage of the Civil Rights Act last year, and during passage of the Voting Rights Act this year, mean nothing when compared to how the Senators vote on the appointment of Coleman.

If the Senate confirms Coleman, we think it would be foolish for anyone ever again to suppose that American political institutions are capable of fulfilling the ringing but as yet empty phrases of the U.S. Constitution.

We stopped supposing so long ago.

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One aspect of the Coleman appointment, and the Senate's job of confirming the appointment is historically interesting. Senator Thomas J. Dodd, of Connecticut, is a member of the Senate Judiciary Committee. He will be called upon to argue for or against Coleman's appointment, and to vote for or against it, both in Committee and later on the floor. Senator Dodd has had some intimate personal and professional experience with racism and its results.

Dodd was Executive Trial Counsel at the War Crimes Trials in Nuremberg, where the political and business leaders of Nazi Germany were tried on charges of participating in the extermination of 6 million European Jews. In his position as prosecutor, he had to know the horrible details of the concentration camps in which the Jews were slaughtered.

The trials in Nuremberg opened just 20 years ago next November. In his opening address for the United States, Chief Prosecutor Robert Jackson said:

"The common sense of mankind demands that law shall not stop with the punishment of petty crimes by little people. It must also reach men who possess themselves of great power and make deliberate and concerted use of it to set in motion evils which leave no home in the world untouched.

"We will give you undeniable proofs of incredible events. The catalogue of crimes will omit nothing that could be conceived by a pathological pride, cruelty and lust for power."

Remember, Jackson was not talking about the little men of Nazi Germany, the soldiers, the SS men, the concentration camp guards (the German counterparts of Sheriff Rainey and Deputy Price and the Ku Klux terrorists). He was talking of the men high in government and business, some of whom planned and executed the slaughter and others who merely connived at it. These men were tried at Nuremberg, convicted, and sentenced, some to death.

We wonder if Senator Dodd will see the similarity between the concentration camps of Nazi Germany and the concentration camp in Jackson, Mississippi, which, at this writing, contains some 300 inmates who were arrested amid "incredible" brutalities because they didn't want laws passed by a white supremacist legislature in the election of which they were denied any voice because they were black.

We wonder if Senator Dodd will recognize that Coleman would much more appropriately be found now standing before a jury of his countrymen, charged with complicity in the same crimes as were the Nazis at Nuremberg. We wonder if he will recognize the "pathological pride, cruelty and lust for power" which suggests

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that Coleman should judge his fellows rather than be judged by them.

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Not long ago Lyndon appointed a commission of political and business notables to develop advice for him on what U.S. trade policies should be with the socialist countries. Among the commission members was Charles W. Engelhard, of New Jersey and South Africa. Mr. Engelhard has been a staunch defender of the racist government of South Africa. (He gets plenty of cheap black labor for his South African diamond and gold mines.)

The report of Engelhard's commission on East-West trade recommends that the U.S. negotiate conditions of trade such that its commercial and political position in the world will be enhanced. The report suggests that the U.S. use its enormous economic power to secure various economic and political concessions from socialist countries. Thus Engelhard admits the utility of such things as permitting or withholding access to U.S. business as an effective means of altering political conditions in other countries.

For some years, the African nations in the U.N. have been asking that the U.S. Government do something to curb U.S. business relations with South Africa as an inducement for that country to stop its oppression of Negroes. Of course Engelhard is unalterably opposed to a boycott, or threatened boycott of South Africa, because that's where his millions come from.

The sense of the East-West Trade Commission's report is that Engelhard and his fellow businessmen would like to see an increase of trade with the communists. There's money to be made in it. Thus is illustrated the terrible consistency of U.S. big businessmen and their man-in-the-White-House, Lyndon. Businessmen like Engelhard want to make more money, whether it's made by trading with those deadly enemies the communists, or whether it's made by trading with those friendly friends, the racists of South Africa. The money's the thing.

But perhaps these businessmen are wiser than we ordinary mortals. Perhaps they know better how to handle the money and the power we permit them to have. Perhaps we should accept their leadership rather than criticize them? Well, let's see. Let's see how Engelhard spends the money he squeezes (with the help of the fascist government of South Africa) from the black people who work his mines and quarries.

Engelhard has a 17-year-old daughter named Susan. Susan just graduated from high school. Engelhard feels compelled to present his Susan to the world.

Five months ago Mrs. Engelhard had a discussion with Valerian Rybar, who decorates. Then she and Mr. Engelhard went to South Africa to bask in the sunshine of white supremacy, and the gold that flows from it, while Rybar was preparing their spacious country estate in New Jersey for the coming out of Susan.

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Rybar dressed up the estate in what he called "a sort of Vermeer-Dutch Renaissance look." One account of the party (June 17th was the date) began: "The chosen 950 who never knew a rain-drop fell last night over the hilltop estate of Mr. and Mrs. Charles W. Engelhard, Jr., had hundreds of skilled artisans to thank for the luxurious diversions from the elements." The writer might have noted, also, that the party-goers had un-numbered black South Africans to thank because it was they, through their labor in the mines, who provided the money that made it all possible.

Among the guests at the party were numerous higher-ups in Lyndon's Democratic Party, including Governor Hughes of New Jersey and former Governor Robert Meyner (who is now on Engelhard's payroll and who, it is reliably reported, was on the same payroll during his term as New Jersey's governor.) With Governor Meyner was his wife, the sister of U.S. Ambassador to the United Nations, Adlai Stevenson. Adlai, it will be remembered, frequently has the job of explaining to the U.N. Security Council the reasons why the U.S. cannot support a boycott of South Africa.

There is no public record of how much the Engelhard's spent on Susan's party, but comparisons with other such functions indicate that the cost had to be well over \$100,000.

Wouldn't it be nice to be able to conduct an opinion poll among the black miners in South Africa to see what they think of Engelhard's spending the money they make for him in such fashion?

As a kind of footnote to Engelhard's generosity to his Susan, the U.N. Special Committee on Apartheid, on June 17th, presented its latest report to the U.N. Security Council and General Assembly. The report expressed concern of the Committee that the Governments of Great Britain and the United States continue to resist the imposition of economic sanctions against South Africa.

The Chairman of the Committee, Achkar Marof of Guinea, sent a statement along with the report. In the statement Mr. Marof said that foreign businesses that go into South Africa are "collaborators" with the South African Government and "partners in racial discrimination not only in South Africa but in the U. S. and other countries as well. The day is not far now," he said, "when the 20 million of American Negroes will join 200 million of their African brothers to tell the inveterate racists what they are."

How many black American were hired by Engelhard to serve at his Susan's party? How many of those black Americans understood where the money came from for all that splendor? And what to do about it.

So many questions; so many answers.

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The South African Government, meanwhile, was teaching all who would learn about the effectiveness of economic boycotts for political purposes. It seems that the Government of Holland made a \$28,000 contribution to an international agency called the Defense and Aid Fund, whose purpose it is to raise money to pay the legal fees of Africans arrested on political charges and to sustain the Africans' families while they are in jail.

Ofcourse, the "political charges" on which blacks are arrested in South Africa invariably arise from the politics of racism.

The South African Government immediately cancelled negotiations with the KLM Royal Dutch Airlines for landing rights at various South African airports. Prior to the Dutch government contribution to the Defense and Aid Fund, the South African Government had "banned" the Fund's leader in Johannesburg. Banning orders, which are authorized by South African Suppression of Communism Act, make it illegal for those who receive them to take part in any political activities. Last week, the Fund's leader in Capetown was given 10 days to get out of the country.

Reports are that about half those Africans who have been provided legal aid by the Fund, have managed to acquit themselves of the charges under which they would otherwise have been imprisoned.

South African lawmakers didn't write all those "suppression of Communism" laws, just to have "outside agitators" coming in and providing the legal talent to get the accused off.

Dr. Hilgard Muller, South African Foreign Minister, said the Dutch Government ought to be ashamed of itself for supporting the Fund. Muller said that the Fund associated itself, through financial support, "with the reckless action of saboteurs who have no respect for law and order and even the lives of innocent people. Any form of encouragement to such saboteurs inevitably promotes, knowingly or unknowingly, the Communistic ambitions in Africa."

Do you find that has a familiar ring about it ?

But before giving the Dutch Government too much credit for its humanitarian concern, remember it was Royal Dutch Shell, along with Standard Oil, who concluded, recently, a 3-year, \$21 million contract for supplying fuel for the South African Airways.

The Dutch Royal Family, heavy owners of Shell stock, probably will get much more than the \$28,000 gift to the Fund, in dividends arising out of the contract.

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And so it went in Lyndon-land this week.

June 24, 1965
Jack Minnis