

8/26/65

LIFE WITH LYNDON IN THE GREAT SOCIETY, Vol. 1, No. 30

Let's take a close look at law and order in the Great Society. We need to because Lyndon has been doing a lot talking about what he calls law and order. When he spoke to a White House conference on Title VII of the 1964 Civil Rights Act last Friday, Lyndon said:

"A rioter with a molotov cocktail in his hands is not fighting for civil rights any more than a Klansman with a sheet on his back and a mask on his face. They are both more or less what the law declares them to be: law-breakers, destroyers of constitutional rights, and liberties, and ultimately destroyers of free America. They must be exposed and they must be dealt with."

Again, just yesterday, Lyndon, commenting on a report that more than 27,000 Negroes have been registered in the South by the new Federal registrars, said it was "heart-warming" to see so many Southerners who were willing to abide by the law.

There is no question but that "law-and-order" were preserved in Los Angeles. More than 4,000 Negroes have been arrested and are being tried on charges of murder, assault, arson, burglary, etc. Furthermore, 33 Negroes were killed by the Los Angeles cops as they restored "law and order".

Now compare that "law and order" with what's been going on in the South for the past hundred years. In the past four years, alone, there have been at least 22 known civil rights murders. In only eight of these cases has anyone even been arrested. Of the eight arrested, five have been tried. All these have been let off by juries of Southern whites. (The mere fact that the juries were white is strong evidence that a federal crime was committed by the jury commissions which selected the jurors. Yet Lyndon's Justice Department has not charged any of the officials involved with this federal crime. Indeed, the Justice Department uses these acquittals as excuses for not arresting and charging other Southern civil rights criminals.)

When you add to the known murders the countless burnings of homes, offices, churches, freedom houses, automobiles; the countless beatings and bombings and false arrests, the mayhem which Southern whites have wreaked on the civil rights movement in recent years, you come up with a volume of "law and order" violations which certainly exceeds that of the Los Angeles rebellion.

Yet every Southern white man knows that he can continue

page two

to kill and burn and beat and bomb without worrying about punishment from the "law." The local "law" approves of such things and Lyndon's law will not be applied.

And Lyndon does have such laws to apply. There are at least two of them:

Title 18, U.S. Code, Section 241: "If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same....They shall be fined not more than \$5,000 or imprisoned not more than 10 years, or both."

Title 18, U.S. Code, Section 242: "Whoever, under color of any law, statute, ordinance, regulation or custom, willfully subjects any inhabitant of any State, Territory or District to the deprivation of any rights, privileges or immunities secured or protected by the Constitution or laws of the United States....shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

These are two of the laws which Lyndon's Justice Department, presumably on his orders, absolutely refuses to enforce.

Here is one specific example of that refusal. On July 19, 1965, Katzenbach and John Doar filed a complaint in the U.S. District Court in New Orleans. The complaint asked that the U.S. Court issue an order telling the defendants (the Klan and 35 named individuals) to stop the following activities:

"Assaulting, threatening, harassing, interfering with or intimidating, or attempting to assault, threaten, harass, interfere with or intimidate any Negro in the exercise of his right in Washington Parish, Louisiana, to the equal use and enjoyment of public facilities and places of public accommodation, of the exercise of his right to vote free from racial discrimination, of the exercise of his right to equal and non-discriminatory educational opportunities in the public schools, or of his right to equal employment opportunity...."

In the complaint Katzenbach and Doar specifically described the rights mentioned above as being guaranteed by various sections of the U.S. Code and the 14th and 15th amendments to the U.S. Constitution, thus bringing the activities they described squarely under the two laws quoted above.

These laws which Lyndon's Justice Department refuses to enforce require one other thing. They require that persons, to be prosecuted under the laws, must have intended to deprive

others of the rights secured under the laws and constitution of the U.S. In other words, the U.S. Supreme Court has ruled that persons could not be convicted under these laws, unless it could be proved that they not only deprived Negroes and others of their rights, but that they did what they did to deprive people of their rights with the full knowledge that the law guaranteed those rights, and also with the full intention of depriving people of those rights.

Katzenbach and Doar took care of this requirement in their complaint. They charged that:

"It has been and is the objective of the defendants to preserve total racial segregation and white supremacy in Bogalusa and Washington Parish. The Klan and the individuals named as defendants in this action have worked jointly and with a common design to further this objective."

Thus Katzenbach and Doar said, in their complaint, that they could prove all the elements of the civil rights crimes described in Sections 241 and 242. (The words "worked jointly and with common design" are a good legal definition of a conspiracy.)

The specific acts which Katzenbach and Doar said they could prove the defendants committed, were described in the complaint thus:

"On February 3, 1965...followed William Yates and Stephen Miller / CORE workers/ and assaulted Yates..."

"On February 15, 1965...ordered the Negroes to leave /a restaurant/ and threatened to kill Sam Barnes /member of the Bogalusa Voters League/..."

"On February 15, 1965...attacked five Negro citizens and vandalized the car in which they were riding..."

"On February 17, 1965...followed Reverend Jerry M. Chance by automobile for the purpose of threatening him with physical harm..."

"On March 29, 1965...threw an ignited tear gas canister at a group of Negroes standing near the Labor Temple..."

"On April 5, 1965...threatened and attempted to intimidate CORE workers who were going from door to door in a Negro neighborhood in Bogalusa..."

"On April 7, 1965...threatened Negro citizens during the course of a meeting at the Labor Temple by pointing a gun at Negroes standing outside the Labor Temple."

"On April 7, 1965...accosted CORE worker William Yates

and...struck his car with a heavy object at a time when Yates was departing from the house of Robert Hicks, vice president of the Bogalusa Voters League."

"...April 8, 1965...smashed the rear window of an automobile belonging to CORE workers while it was parked across from the house of Robert Hicks..."

"On April 9, 1965...assaulted Negroes who were participating in the march...attacked newsmen observing the march...attacked a special agent of the Federal Bureau of Investigation who was observing the march in connection with his duties..."

"On April 16, 1965...assaulted James Brown, a Negro who was then picketing a business establishment to protest unequal employment practices."

"On May 19, 1965...went to Cassidy Park...for the purpose of interfering with the enjoyment of the park by Negroes and White CORE workers who were present at the park and using the facilities for the first time on a non-segregated basis. The group of white persons...entered the park and dispersed the Negro citizens with clubs, belts and other weapons."

"On May 20, 1965...gathered at Cassidy Park for the purpose of interfering with the use and employment of the park facilities by Negro citizens..."

"On or about May 23, 1965...took a can of gasoline to the area of the Ebenezer Baptist Church located in Bogalusa, Louisiana, for the purpose of destroying the church by fire in order to prevent mass meetings held on the premises by the Bogalusa Voters League."

"On May 29, 1965...threatened, harassed and attempted to intimidate the pickets..."

"On May 31, 1965...went to the downtown area of Bogalusa where Negro citizens and CORE workers were picketing business establishments in Bogalusa, protesting unequal and discriminatory hiring practices...threatened, harassed and attempted to intimidate said pickets."

With all this evidence did Katzenbach and Doar try to prosecute the individuals they identified time after time--prosecute them for the crimes described in Sections 241 and 242. No. They asked the judge to tell these boys to stop doing these things.

When Negroes rebel against practices Lyndon himself condemns, as they did in Los Angeles, they get promptly arrested, tried, convicted and sentenced. When whites in the South rebel against practices which Lyndon says he's in favor of, they get

page five

asked to stop killing and beating and burning and looting.

In the speech in which he condemned the Los Angeles rebels, Lyndon said: "It is our duty--and it is our desire--to open our hearts to humanity's cry for help."

*

We wrote to Lyndon's Justice Department--to John Doar, specifically--and we asked him why, since he said he had all this evidence against the Klan and its members, he didn't go ahead with criminal prosecution of them under Sections 241 and 242.

We got a reply just the other day. It said: "It is not the policy of the Attorney General to discuss the reasons for not taking a particular kind of criminal action."

Humanity cries for help. Lyndon does not choose to discuss it. The "Leader of the Western World" cannot be bothered with, as he calls them, "such chickenshit questions."

*

We got another pretty good example the other day of just how phony the Civil Rights Act of 1964 is. Title VI of the Act provided that federal funds could not be used for any program infected with racial discrimination. Lyndon's Office of Education has been asking school systems around the country to send it what it calls "compliance plans", or plans for desegregation of schools. As the plans come into the Office of Education, they are examined and most of them are approved. Then the school systems become eligible for federal funds.

A reporter for the Washington Post went to the little town of Dadeville, Alabama, where there has been no civil rights activity of any kind, to see what the results of the Act were in a place where civil rights organizations have not operated. What he was testing was the effect of federal law when it's left to Lyndon to enforce it. He sure found out.

He interviewed a "well-educated 68-year-old Negro Woman." She said, "No one goes downtown to the restaurants. I think they'd be beaten if they did." Title II of the 1964 Act prohibits discrimination in restaurants open to the public.

The reporter interviewed the local school superintendent (white, of course). The superintendent said: "Our school desegregation plan has already been approved. I carried it up to Washington myself. It's the first four grades this year. No Negro applications /to change from the Negro to the white school/ are on hand. But we intend to comply with the law and when Negroes do start, probably in a few years, I don't anticipate trouble."

This is the "voluntary desegregation" which Lyndon's

Office of Education requires before it will give federal money to schools in the South. Negroes figure they'll be beaten if they try to eat in a public restaurant. What do they figure would happen to them if they try to desegregate the public schools ?

Still, the white school superintendent, with a straight face, took the "compliance plan" to Washington and, with a straight face, Lyndon's Office of Education approved it. That's what's happening all over the South today. The Southern school systems have no intention of desegregating. And, being a Southerner, Lyndon knows this as well as anyone.

But that won't stop him from pumping millions into the still-segregated systems of the South. Alabama qualifies for around \$46 million in federal aid for schools this year. How much of this do you think will be spent on upgrading Negro schools ?

* Los Angeles, and its rebellion, are interesting. The cops out there are now gathering all they can of the goods that were taken by the rebels from the stores. The cops say they'll give the goods back to the store-owners, if the store-owners can identify them. Such goods as can't be identified will be kept by the police and auctioned off later this fall.

The money that's made from the auction will go to the policemen's and firemen's pension fund. While the rebels who took the goods are serving out their sentences in the California prisons, the cops against whom they were rebelling will be enjoying the fruits of the looting.

Justice in the Great Society.

* A reporter for the Washington Post wrote that there has been no civil rights activity of any kind, to see what the results of the act were in a place where civil rights organizations have not operated. What he was saying was the effect of federal law when it's left to Lyndon. He sure found out.

August 26, 1965
Jack Minnis

The reporter interviewed a "well-known 68-year-old Negro woman." She said, "No one goes downtown to the restaurants. I think they'd be beaten if they did." Title II of the 1964 act prohibits discrimination in restaurants open to the public. The reporter interviewed the local school superintendent (white, of course). The superintendent said: "Our school desegregation plan has already been approved. I carried it up to Washington myself. It's the first four grades this year. No Negro applications to change from the Negro to the white school are on hand. But we intend to comply with the law. When Negroes do start, probably in a few years, I don't anticipate trouble."

This is the "voluntary desegregation" which Lyndon's