

Bill Higgs  
December 19, 1965

JM: December, 19, interview with Bill Higgs. Bill, how was the decision made to go into political action program rather than a direct action program in Mississippi?

BH: Well, not only in Mississippi, but in other areas as well, the decision to my knowledge was made - or at least one end of it was made at a conference sponsored by the Phelps-(Stokes Fd.) - I believe in the fall of 1961, at which about 30 civil rights workers from all over the country were there, including Harry ( ) from the administration, and Burke Marshall, and Bill Bernhard from the civil rights commission. And at this time there were lengthy discussions - Tim Jenkins was the representative of the student movement, the basic representative there. We had long talks about the... what the basic strategy should be, which at that time - up to that time it was sit-ins, and of course I think it was - very much interested in politics, and you know, being able to affect the political situation, Tim and I had a long (situation), and I suggested to him that registration, certainly in Mississippi at least, was going to be real direct action anyway, I mean you know, the people were going to react violently to registration, because this was an attack on the whole political system, people shouldn't do that. And we talked it all out, and generally agreed that this would probably be the effect of it. So the next day Tim made a really powerful and stirring speech, discussion out on the lawn, and with Marshall there he was listening intently, he just did a beautiful job of it, and by far the most powerful presentation at that whole conference. And everyone agreed with what he said, and then from then on, so the bargain was struck that the attorney general's office would help with the registration, every possible way, and the student movement would channel its efforts from sit-ins and public accommodations to trying to get people registered to vote. And of course Kennedy - the Kennedy administration was very much interested in this, and naturally, since (the Negro really meant so much to him earlier).

JM: Can you talk a little bit about the reaction in the movement itself as to this sort of decision? to substantially drop off the direct action programs and to go into political action?

BH: Well, I - I don't think one can properly say to dropping off the direct action, because voter registration - the whole theory was that voter registration itself, at this period in the south, would be direct action itself. So in other words it was a shift in direct action techniques - the public accommodations, and so forth, sure, it would change the outward manifestations of the system to some degree, but - and was direct action too. But if you also had direct action from the voter registration angle, not only would you



of course direct action separate, you also have change in the political system. <And this seemed to make a lot of sense to the movement, they knew that this would get the greatest support from the Kennedy administration, and it seemed to make sense, and of course that's the way the movement went. And then of course the Kennedy Administration came through later with the voter education projects, helping to finance that, of course that was through the Field Foundation. And the - Taconic Foundation, this money, set up by Raleigh (Branton) in Atlanta, and soon as he got the money wired, he of course called all the civil rights leaders together, and they sort of parceled out the different sections of the south for primary consideration. Now all of them basically took Mississippi, of course the Urban League wasn't too involved in this, but all the others have some basic interest in Mississippi. Except for SCLC, really. That meant CORE, NAACP and SNCC.

So a - very early in the game, a meeting was called in Clarksdale, at which COFO was organized, and Bob Moses was elected as director - executive director in charge of voter registration, and Aaron Henry was the chairman, and I guess there were - that night at the church I guess there were about 40 of us there, but - and almost half of whom I suppose were SNCC affiliated people, but the whole thing was set up, and of course under the influence of Wiley, everybody did work together under the COFO - in the COFO organization. Wiley just simply said, either you people come together or no money. And based upon this, everybody came together. And - Medgar Evers was there too, and of course the thing worked out very well from then on, COFO began to move.>

JM: Would you happen to have the date, at least approximately, this rebirth or birth of COFO?

BH: I am really not sure of the date. I believe it was some time in early - or the middle of 1962, but I'm not certain of that.

JM: Well, you said the Kennedy administration wanted the civil rights movement to go into political action programs, meaning voter registration, and non-partisan political participation. From what I understand there were some promises as to very tangible support and protection of the civil rights workers, and that this was not carried through. Is this correct?

BH: Well, first of all I'm not sure the Kennedy administration were interested in non-partisan voter registration, though of course under the voter education project it had to be non-partisan in terms of the tax exemption. Obviously they wanted people to vote for the Democrats, no question about that. And for Kennedy, of course, in particular - liberal Democrats. But, frankly, no, they didn't come through with the promises they'd made, in terms of protection, this, that and the other. There was almost no protection, you know, in the grossest circumstances, which of course we were heavily involved in in Mississippi. There was just nothing that could be done,



they just wouldn't help at all, even though the law was very clear.

JM: Can you cite some specific examples where the administration fell down on their promises?

BH: Yeah, well, of course the - couple of cases I was involved in, first of all I was for making any protest of any of these things to the Justice Department, I was pretty heavily investigated by the FBI. And they'd keep calling me to come up, you know, and of course I'd always come, and talk to 'em, and they'd - the questions they'd ask, they says, why are you criticizing us? Why are you criticizing us? What right do you have to criticize us for this? And I'd tell 'em, you know, you're not doing your duty, you're not doing your job, and I ask 'em, I says, bank robber rob the bank across the street and you throw him in jail, you arrest him. But yet right downstairs here are people picketing for civil rights on Federal property, and local authorities throw 'em in jail and you don't do a damn thing about it. Well, this is the way our conversations always went, when I was interviewed by the FBI, except, when there were particular instance involved, and then, when the particular instance involved, the FBI always seemed to try to phrase it in the most innocuous terms, and the most favorable to the local authorities. So I very quickly got the idea that there was just no point in talking to them. One case - ( ) I believe it was in the - let me see, yeah, I filed this case in the end of 1960, about December 31 or so, 1960. That's when I got the paper, and I guess I filed the case about January 3 or 4 against the White Citizens' Councils, and the Governor, and the State Sovereignty Commission to stop the state from giving the White Citizens' Council these thousands of dollars to finance it. And the Citizens' Councils promptly proceeded to harrass all four of us plaintiffs - I was the only lawyer, and there were four plaintiffs, a Negro, Bob Smith, and two labor leaders and myself. And the labor leaders were Jack Schaefer, of the IBEW, and Lottie Daniels of the Communication Workers of America. Daniels and Schaefer had their lives threatened, their families' lives threatened, they were told to get out of this suit or get out of their jobs, and the FBI refused to even investigate this thing. Finally Burke Marshall forced them to investigate it, and of course nothing was done. And here this was a federal case in a federal court, and the plaintiffs were being totally intimidated all over the place. And yet the Federal Government did nothing about it. Smith's store was - windows were broken and a whole bunch of other things, but of course they did nothing.

JM: What statutory power does the Justice Department and the FBI have in protecting civil rights workers?

BH: Well, 241-242 of the U.S. Code, plus a whole bunch of other statutes, you can get this in any article, no need to ask...

JM: Bill, can you talk about the SNCC campaign for Congress in 1962?



BH: Yes. In - I guess it was early 1962, - well, first let me give you my own background. I ran for the Legislature in '59, for the Congress in '60, and for the Jackson City Commissioner, one of the three, in 1961. And generally on a program of either segregation or token integration, at that time. But - of course my own views were changing quite a bit during this period. But - I might add that during the Jackson - one of the Jackson city elections, I believe it was in 1961 ( ), Medgar Evers and I met with one of the two leading white candidates, who tried to - you know, to work in terms of getting him to change things, and trying to get Negroes to vote for him, and all this sort of thing - these were the - sort of the first beginnings of getting involved in politics, in terms of the movement. Well, after that, Medgar & well, let's see, first of all, over at the early Freedom House on Rose Street, corner of Rose and Pearl, in Jackson, we had an all night meeting ( ) with Bob Moses, and I guess (B ) was there, and - maybe Lester McKinney, four or five of us, and we talked and talked until about six in the morning, and I made a proposal to 'em, that as it was easy for me to get on the ballot, you know, just to run, regardless of how many votes I got, it'd be a great thing for Negroes to do the same thing, it'd make a big difference. And we talked it all out, and decided it'd be a very good idea. And we also thought it'd be very good for Medgar Evers to run.

And then we went over to Medgar's house, the next night, called him up and asked him if we could - and then we went over there, and put - and Medgar had some of his friends there as well, some of our mutual friends, some of the older leaders in the Negro community such as Houston Wells and Bob Smith, and two or three others. And Moses was there, of course, and all - we just all - then we asked Medgar about running. Well, we - for three or four hours we talked, and Medgar just finally - the next day, I guess - gave his final answer, refused to, because of a lot of reasons, but you know, he'd thought about it a lot. Then we asked Bob Smith to run, young Bob Smith, well, he turned it down but suggested his father. Then we thought about it, and - his father might be a good candidate, so we talked to his father at some length, and his father did agree to run. So... let's see, one of his father's friends, who's director of the Negro Savings and Loan Company in Jackson, his name I've forgotten, for the moment, and - really helped - was his campaign manager, and helped work it out. Of course I was legal political advisor, for all this, and - So they went down, got the forms from the Secretary of State's office, and filed. Of course this caused a big furor, and this, that and the other. This was, they filed in the Democratic primary. And we were very uncertain if the state executive committee would put Smith's name on the ballot. But, of course, finally they did. And then we tried to get him on television, but of course the very - first of all they said that two stations, WLBT and WJTV in Jackson said they'd put him on. And they put him on once. Now, one station did, I believe it's W - I'm not sure, maybe it's WJTV, I'm not sure. But then they just clamped down,



just said no, not at all, you can't get on at all. And of course his opponent, John Bell Williams, didn't need to get on anyway, so John Bell didn't get on, and that meant that under the equal time provisions Smith couldn't get on. So therefore they were freezing him out. But of course the (F ) Doctrine was there, I was advising him on all this, so I persuaded Smith to go with me up to New York, and Boston and so forth, and Washington, so we went up there, and we saw Mrs. Roosevelt, and we saw Jimmy Wexler, and just a number of other people. And Mrs. Roosevelt wrote Kennedy, the President, and the squeeze was on. And we were complaining to the commission, we went to the FEC too, of course. And so - Wexler was running editorials, this, that and the other, so - the upshot of all this was that finally a letter went to WLBZ from the FCC, and of course the assistant to the President, saying that either you put Smith on within six days, or this is - we order you to show cause why Smith is not on within six days. And when the station got this they went out of their mind, and invited Smith to come to the station, and the whole thing - they put him on. And so we got on television that way. And John Bell ended up going on one time, I think, toward the end, but of course the results were, I think Smith got around 2-3 thousand votes out of - maybe 5 thousand out of about 60 thousand or so. Nevertheless, it was a sort of historic thing.

He campaigned in a number of the different counties, and spoke here and there - in general, there was considerable activity generated as a result of the campaign.

JM: Now, Jim Forman mentioned that Bob Moses was the "submerged campaign director" for Rev. Smith. Can you explain why this was so?

BH: Well, of course Moses was doing everything he could during this period to help Smith out, and I mean - of course Moses was working in the counties, and - I don't know that much of his activities, cause I spent most of my time with Smith. But, well, I mean you know, I'd brief him on all the different developments, and I brought him the speeches and the legal stuff, and political stuff. But I know Bob was working all over the district, and as is always the case, his work was very effective.

JM: Well, why would he be called submerged campaign director, though? Is it possibly because he was getting Voter Education Project money, or what?

BH: I think that's perhaps partially a reason on the thing - well, I'm not sure whether the Voter Education Project was going this much at this time, or - I'm not exactly sure of the dates, I don't think it was, actually. I don't think the VEP - it may have been, but it was sort of nip-and-tuck, whether or not it was at this period. But the main thing was, Smith's campaign manager, as I recall, - let's see, Medgar Evers may have been the campaign manager. And this other guy I was talking about may have been the treasurer - finance



I guess that's what it was, head of the Savings and Loan Company, that's probably the way it was. I don't think Bob had an official position in the Smith campaign.

JM: Now, you say you ran in the primary, this would be in June, July, August (yeah), this would be in June, 1962. And he lost in the primary and that was that on the election. Could you talk about the campaign that Revs. Tremmel and Lindsay conducted?

BH: Well, of course Smith came out first, and - but then of course we became interested in the second district, and we went up and had a little meeting, and Rev. Tremmel in Clarksdale was selected as the person to run from the Second Congressional - at that time I guess it was the Third Congressional - maybe it was the Third Congressional District. No, it was still the Second - just been made the Second. And of course Tremmel ran, but he died very shortly thereafter, I believe of a heart attack. And then Rev. Lindsay was selected, from Hollis Springs, from the Asbury Methodist Church. And of course Rev. Lindsay (carried on a fairly) vigorous campaign, and was on television a number of times, remembering that the FCC was really putting the squeeze on WLBT, and pressure was felt all over the state, and the stations loosened up. And then in general it was possible to get a little television and radio time. And this was the race in which Frank Smith was fighting for his political life, against Jamie (Whitten), and of course Smith lost. Number of the Negroes in Greenfield, for example, apparently felt that they didn't want to throw their vote away, so they voted for Smith rather than for Lindsay - and Greenville of course had the highest Negro registration in the district. On the other hand Negroes - the highest Uncle Tom registration in the district too.

JM: Would you care to comment on what might have been the political significance in running two Negroes for Congress in 1962 in Mississippi?

BH: Well, it was the first attempt since Reconstruction, I suppose, for Negroes to run for major political office throughout most of the south. And it showed that - I mean it showed whites for the first time Negroes as candidates on the television screen, and for the Negro population it showed the same thing, it created a lot of hope, I think, and a lot of aspirations, and a view for what the future could hold. This is just extremely critical, extremely - tremendous breakthrough.

JM: There seems to be some feeling that by running Negro candidates, that it would be possible to demonstrate to the public that it was a lie that Negroes were apathetic and weren't interested in voting.

BH: Well, maybe, but the intimidation was so great that the registration was so low, I mean all these - just ( ) the factors that you're generally familiar with, meant that it would



be somewhat difficult to demonstrate this. And what it would show, probably, is the extent to which the whites would go to prevent Negroes from voting or registering. Of course this was pretty obvious, now in the Smith campaign, we had pollwatchers almost over the entire city of Jackson; (Mary) Evers, Medgar's wife had a poll, and we just all had some out in the rural areas and the whole thing. Well, I mean the most fantastic things occurred, I mean, our poll watchers would be placed way out in the street, some of them would be run off ~~with~~ by people with guns, some of them would be kept out of the houses, they'd be intimidated; couple of decent things happened to 'em, like a couple of 'em were even given food, but in general the reaction was highly negative, and highly intimidating toward these people, and of course we had so many in Jackson - I guess about a third or fourth of the polls, third or maybe in a half of the polls - we got a pretty damn good picture of how even this was rejected. Same thing happened in Clarksdale, where our observers were put up in the gallery, weren't even allowed to see what was going on in the ballot-counting. And of course this is in gross violation of the state law.

JM: Bill, would you feel that by running Negroes on the congressional ticket, or even, as happened in '63, on the - for Governor, with Aaron Henry, that this would really put a choice before the Negro people and get them interested in the electoral process, whereas in the past they might have been dissuaded from participating at all, even if they were registered, because there were two highly unrealistic candidates running for an office?

BH: I'm not quite sure I understand...

JM: In the sense that Negroes just really couldn't feel that it was worth the trouble of getting beaten over the head and intimidated to go down and vote when the people who were running were both racist in their orientation.

BH: Yeah, I mean it had an effect on this, I mean obviously the fact that someone ~~you~~ whom you'd really like to vote to was running, I mean, was a certain stimulus in terms of registration in this. Yeah, I mean it definitely did, I mean it opened up possibilities that were never there, and opened up considerations and issues and viewpoints of voting, and election and politics, that the Negro had never had access to before.

JM: Bill, can you talk about the history and reasons why you were run out of the state of Mississippi in January of '63?

BH: Yeah. This is most all in a article in the Reporter, which was about April 17 of '63. But essentially, I'd been involved in the Meredith case, and these political campaigns, and they knew it because I was - my lines had been - you know, the telephone was tapped and all that sort of thing. And I'd been the one that was suggesting



a lot of these ideas, so that was the way they looked at it, this guy's stirring up a lot of trouble, he's - they never would have thought of running these people for office, doing this, that or the other, if some white man hadn't been suggesting it to 'em. And of course, I'd incorporated the Mississippi Free Press, and just a whole bunch of things that obviously involved thinking about what could be done about the whole business. And I'm sure they had plants at the different meetings, and I'm sure they had the rooms tapped, and bugged, and all this sort of stuff, and then of course the Meredith case, and then before I left, they - I'd for the first time argued the Dewey Green case, trying to open Ole Miss right open. And so this presented tremendous incentive; I was the only white lawyer in the state who'd handle the case, and I was the only lawyer who really had a top-flight legal education. There were four Negro lawyers, three of whom had had - would handle civil rights cases, and only one of whom had had a law school education, and none of them really had that much background. Particularly in terms of Federal Constitution, federal procedure. On the other hand at Harvard I had specialized in federal procedure. And a lot of Constitutional law.

So one of the youngest - a younger student from Pennsylvania had been staying at my house, and who was going through, and he'd had a wreck, he borrowed my car and had a wreck in it, and they got him to allege indecent acts on my part, and with these trumped-up charges I ended up being charged for contributing to the delinquency of minors. Of which I was later convicted. I also was told that I was going to be charged with about four or five different counts of perjury. The perjury counts each had about ten years associated with them. I was also informed that I would be charged with trying to overthrow the state government, though I seriously doubt that this particular count would have been pressed, though I think this was certainly what some of the people there felt.

All of this was developing precisely as I made different steps in the Dewey Green case, I mean all these - I would be called up by the prosecutor, and say, you know if you did this - if you do this thing, if Dewey Green shows up at Ole Miss, then we're going to do this to you. So this was sort of the way it went. And finally I felt that I would end up in prison, and I felt that I would lose my life, or some similar thing would happen to me at this time. And so I left the state. Course two months later Medgar Evers was killed, and then of course all the other things started to happen. But this was in - oh, about January 31 of '63. Now this meant of course that I missed the Freedom Vote campaign, and a lot of other things after that time, that occurred in Mississippi. Now I was subsequently disbarred, based upon this plus the William Smith case, my role in the William Smith case in Canton. Smith was a alleged young Negro rapist, about 26 years old, who supposedly raped this



seven year-old white - thirteen year-old white girl at gunpoint, or at knifepoint, while her seven (teen?) year-old white boyfriend, who was a football player, was there with her. And this was all under very improbable circumstances, Smith had been held for over a month incommunicado, when I called the judge up in Canton, Judge Hendricks, saying that I had been retained by Smith's wife to represent him, Smith - the judge threatened me over the telephone, and told me that I'd better get out of that case and that it would be very dangerous for me to take the case. Well, at this point I didn't get into the case, but I did get into it later on, and then I filed in the Supreme Court of the United States an affidavit of the judge's threat. Well, this also was used as a grounds for disbarment.

JM: Bill, could you discuss the Jackson non-violent movement?

BH: Well, the Jackson non-violent movement, particularly as it was a representation of SNCC and to some degree of CORE, was quite interesting. In the beginning, there was extreme - well, not only in the beginning but all the way through there was extreme antagonism from Medgar Evers. Sometimes he kept it under the surface, sometimes a little of it was reciprocal, in terms of the SNCC people. The - it's pretty obvious that this was a tremendous deterrent, tremendous drag on the effectiveness of the movement, in fact it was a dangerous drag. But I was in Medgar's office when he was telling me about the directives that he got from Roy Wilkins, telling him not to cooperate with SNCC and CORE and of course, also even to try to smash SNCC and CORE and try to kill those organizations. I thought this was horrible, as well as I thought that Wilkins' original interview, when SNCC and CORE came on the scene - I believe the interview was in Time magazine, where Wilkins blasted the hell out of 'em. Well, this didn't help matters at all, and of course regardless of what Wilkins later retracted, still the directives were coming out from the national office to Medgar, and Medgar was put in the position of having to carry them out. And this just didn't help matters, it was always NAACP this and NAACP that, regardless of the interests of the movement, I thought - I felt, at least, in a lot of cases. And I - in fact I thought this was very unfortunate. The - frankly, SNCC people didn't always help matters either. But in any rate, I just thought all this stuff going on was just very bad. Because everybody there really basically wanted to do the job right. I remember one time going into Medgar's office, and I said that - I believe it was, I said ( ) had been doing a good job on the Mississippi Free Press. Well, Medgar just went out of his mind, started cursing me out, and just raging and so forth, and ordered me never to mention these people in his office again. Well, I thought this was an almost psychotic reaction.

JM: Now, this was in which year?

BH: I believe in '62. I would think so, yeah, I would think so.



'62, or late '61 probably. Probably even in the middle of '61, possibly.

JM: Now, the Jackson non-violent movement, from what I understand, drew on the Jackson State students. Could you discuss that?

BH: Yes, they did, to some extent, they also drew on the Tougaloo students. And of course there was all sorts of repression by the state authorities, because they controlled Jackson State. This guy (R ), principal, just did of course what he was told, plus a lot more, I think, to keep the peoples in line. And this - you know, put off all the problems, naturally Meredith and (R ) McGee were from Jackson State, and some of the others were. So there was, you know, real concern here.

Another item which occurred in the general elections of '62 was our attempt to gain signatures to protest the election of Jaimie Whitten. Now, this was - I personally, and this - we, I don't know whether we had a mixup or what, but I - at any rate I was very disconcerted at Aaron Henry at this thing, because he had told me that we had 15 or 20 thousand signatures, and all this, that and the other, and we ended up with about 2 thousand only, and we actually said ~~thm~~ we had these things. Well, I told the press this, after scaling it down to some extent, and I was really shocked when we didn't come up with the goods. But at any rate we were saying we had all these signatures and we were going to challenge the election of Jamie Whitten, in the Congress. Well, we didn't come up with the signatures, and this, that and the other, so this never came off; however, it did make fairly big news during the period, and it did provide an effective activity for the '62 general election.

...Henry'll know about that...

JM: What relations have you had with Aaron Henry - in particular, did he have the same sort of role with the SNCC and CORE that Medgar Evers had, as you indicated?

BH: Henry always seemed to get along better with everybody, than Medgar did. And of course this was a very useful thing, and a very helpful thing to the movement. And I think Henry's net role has been very positive, in terms of helping the movement. Course I wouldn't care to comment on the last year or two, but certainly while I was in Mississippi, Henry's role was critical, was absolutely essential to a large measure of the progress that was made.

JM: But as state president of NAACP, wouldn't he also fall under the control of Roy Wilkins?

BH: I would say much less; the president is much more independent, normally, than the executive secretary, who was under the direct control of Wilkins. Whereas the president has somewhat independent authority, at any rate Henry exercised somewhat independent authority.



And has always done so.

During the '60 campaign, early, several of us got together as the citizens for Kennedy-Johnson, Mississippi Citizens for Kennedy-Johnson - about five of us, and called ourselves that. And we were - let's see, I believe Bob Smith, Rev. - or rather, Dr. Brittan, Dr. A.B. Brittan, and Ray Smithart who was then the AFL-CIO executive director in the state, and probably Jack Schafer and myself. And I was elected chairman of the committee. And then we got on television a couple of times, for the Kennedy-Johnson ticket, and several of us gave some speeches. And this was the only activity for President Kennedy in the state at that time. There was a lot of anti-President Kennedy activity, and of course the unpledged electors barely carried the state, by about 5 or 6 thousand votes in a very close election. And of course this material which really carried the day against them was film which obtained by John Bell Williams, from - of course Eastland did nothing for Kennedy at all, and of course this had a lot to do with it too. ( ) for Johnson, I think. But John Bell Williams got this Democratic National Committee film, which showed Kennedy helping Negroes, and they showed in Mississippi, for the unpledged electors, obviously to kill Kennedy, and it was quite effective. So that loyalists barely lost. Of course they didn't really do anything to carry the day anyway, really. And so it was a real void on behalf of the national ticket. But at least this was probably the very first beginnings of some joint state-wide effort in behalf of the national ticket in the state.