

(Prepared in consultation with the CORE National Office) July 7, 1965

Urgent Memorandum to all CORE chapters
From William Higgs, Attorney for the Mississippi Freedom Democratic Party

Subject: The nomination of former Governor J. P. Coleman of Mississippi to the United States Court of Appeals for the Fifth Circuit.

The CORE National Convention in Durham, North Carolina, voted unanimously this weekend to oppose the nomination by President Johnson of J. P. Coleman to fill a vacancy on the Fifth Circuit Court of Appeals. Telegrams were sent to the President calling upon him to withdraw his tragic nomination, and to members of the Senate Judiciary Committee, urging them to vote against his confirmation. The court to which Coleman has been nominated has jurisdiction over Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas. Under the new Voting Rights Bill, it is this Fifth Circuit court which will be hearing appeals by these states to the registration of thousands of Negro voters by federal registrars. These federal officers are necessary for the implementation of full voting rights in Mississippi because of the restrictive and discriminatory registration provisions which Coleman himself designed, signed into law, and executed as Attorney General and Governor. Coleman was the creator of the infamous State Sovereignty Commission, whose function is the preservation of segregation in Mississippi, and which has donated nearly \$200,000 in state funds to the White Citizens Councils. He is the man who signed into law the moribund philosophy of interposition, requiring all state officials to resist attempts at desegregation by refusing to comply with the laws of the federal government and the decisions of the Supreme Court. He is a man who is on public record as having said that the Negro is not fit to vote, and who has boasted of having frustrated all attempts at integrating Mississippi schools. When Professor Clennon King attempted to register at Ole Miss, Coleman ordered him held incommunicado in prison and subsequently committed to a state mental asylum.

His career labels him clearly as a vicious segregationist, committed to that cause. His tactics have ranged from blatant affronts to and offenses against the rights and dignity of Negro citizens, to insidiously clever legal maneuvering designed to deprive them of their constitutionally guaranteed rights. His supporters have claimed that he is a moderate, but make no mistake about it: his espousal of racism and segregation is unswerving. He is "moderate" only in urging that legal trickery, rather than violence, be used to further the oppression of Negroes. He may not be a redneck, but he is "the thinking man's segregationist," in the words of Negro Representative John Conyers of Michigan. In this role he has to date been eminently successful. Mississippi has the lowest Negro voter registration in the nation: 6%. School desegregation is less than token. If confirmed to the seat on the Fifth Circuit, Coleman will be in a position allowing him to use his segregationist legal tactics to their fullest. He will hear suits seeking to have declared unconstitutional the very laws for which he was res-

possible as an elected state official. He will be able to delay, if not altogether undermine, the legal progress which that court has forged.

It is of the utmost importance that you flood the Senators of your state with letters and telegrams demanding that they stand in vigorous opposition to this nomination, and that they wield their influence with other members of the Senate toward the same end. Inform your local press services of your determined opposition to Coleman's appointment, and dramatize the hypocrisy of the Johnson Administration in first having drafted and championed a Voting Rights Bill, and then having appointed a man to a post critical to the implementation of that bill and the full achievement of equality for Negroes in the South. Opposition to his confirmation is developing, but time is very short. You must not sit still while Senator Eastland of Mississippi, the chairman of the Judiciary Committee, rushes this intolerable nomination through. This is a lifetime appointment, and the only time to act is **IMMEDIATELY!**