

Warren: This is tape 2, of conversation with Mr. Wylie Branton, continue. I was asking you a moment ago, or about to ask you whether the situation in Montgomery - is it apathy that prevented the congregations from allowing, or the F. C. L. C. to use a church for a rally, only a year, or less than a year after the Montgomery demonstrations? Among these churches that refused, being the one previously the church of Mr. Abernathy.

Branton: Of course I have no knowledge of that particular situation. I've been into Montgomery on several occasions - mostly, of course, just going to Federal court over there, and checking on our voter registration. I am familiar with similar problems which have occurred in other communities - a similar occurrence took place in Greenwood, Mississippi, where as a result of the demonstrations in Greenwood and the large number of arrests, and the official policy of harrassment and intimidation on the part of both the city and the county, individual Negro ministers were afraid to allow the use of their churches for mass meetings for several weeks. There were one or two small churches where the ministers were willing to allow the use of these facilities. Of course, the difference between Greenwood and Montgomery, I would think, would be the fact that in Montgomery you had people who formerly had pastored in Montgomery, wanting to come back and make use of their churches and this does seem rather surprising, because you would think that if these ministers left their churches in good faith and with good relationship, that they

would have no difficulty in getting the use of this church to hold their meeting. In discussing a question like that, though, one would have to know the background of what was taking place in the community at the time that S. C. L. C. came in to meet.

Warren: It was not - it could have been fear, we presume, as it was in Greenwood.

Branton: It could have very easily have been fear, and it could not - it could have been fear growing out of some new situation which had developed within that year, or some situation which had just developed a week or two prior to the opening of this meeting.

Warren: But neither apathy or repudiation strike you as a reason for this?

Branton: I don't think it would be apathy under any circumstances, no, I don't.

Warren: Or repudiation?

Branton: I don't hink it would be repudiation. I think it would be - in Montgomery, without even knowing the additional facts, I would be inclined to say that there was fear of a church bombing, a fear of a cancellation of an insurance policy by the insurance company, or fear of harrassment or intimidation from local officials, if the use of the facilities were made available to S. C. L. C. I don't think it would be either apathy or repudiation.

Warren: Shifting a little bit - how much temptation do you think there is now toward a new type of leadership entirely - a leadership that aims

at violence?

Branton: Well, I don't think there's much temptation in any change in leadership in any direction.

Warren: I don't mean that persons who are now leaders changing their minds. I mean a new type of leader come in to grasp a new situation - and to seize leadership. Malcolm X, for one, and his drift toward violence.

Branton: Well, you have - you have a tendency - and there is a tendency on the part of local people to become leaders overnight, such as Reverend Galamison in New York and the man with the rent strikes in New York, whose name I don't recall at the moment. These people get a lot of publicity because of their involvement in a particular situation, but I think that their leadership is confined for the most part to the local community and to the problem which they are then connected with; and that there is nothing to indicate that these same people are likely to project themselves very widely into other areas of concern or of controversy.

Warren: In Mississippi and in Alabama do you see any indication of <sup>a</sup>new air of violence, in even local leadership?

Branton: No, I do not. In fact, I see an air of the lessening of violence in most of Alabama.

Warren: I'm referring to - among Negroes themselves.

Branton: Yes. I can't quite share that same attitude in Mississippi. I think that there's an attitude of - that would lead one to believe that

there is a lessening of any tendency or attitude toward violence in Alabama, by Negroes.

Warren: ... Mississippi?

Branton: I have not seen enough to convince me that there's any lessening of it in Mississippi. This does not mean that there has been any increase in the attitude. The thing that alarmed a number of people recently was a statement attributed to Charles Evers, the brother of the slain Medger Evers, in Nashville. This created quite a bitter feeling over the state. I subscribe to two or three Mississippi newspapers and I noticed the Greenwood, Mississippi, Commonwealth - a white newspaper - ran an editorial, condemning Charles Evers for this statement, but even though Charles Evers, subsequently, repudiated the statement, or said that it was taken out of context, I have seen nothing in the Greenwood Commonwealth that would indicate that they have ever bothered to straighten the story out.

Warren: The story was written by a Negro reporter. He wrote the story. I have on what seems to be very good authority, that he was called in, I understand, by the editor, before it was printed, and said, "Can you, as it - stand on this story as written?"

Branton: Has there been any comment by the newspaper, which carried the story, since the repudiation by Charles Evers.

Warren: Not that I know, not that I know.

Branton: Um, hum.

Warren: I was stuck with it, and of course, I had an interview with

Mr. Evers, which was quite the contrary to this statement, a few days later. So I had to investigate and see, you know, to - what the .... was doing. But there are some people who in the, Mr. Lawson, for instance, you know, on tape the other day, said to me that this kind of indiscretion was not at all improbable.

Branton: Why I don't think so. I don't think it at all improbable.

Warren: It's indiscretion, and carried away on some moment - and if he is under great strain, naturally - and he is - has also stated in print since then he is armed.

Branton: That he is?

Warren: Um, hum. About three days ago.

Branton: Um, hum. This isn't surprising at all. It's just surprising that he would admit it publicly.

Warren: Yes, well, now, I mean this is - I don't speak with an air of condemnation. It may be very poor judgment, but it's very human.

Branton: Well, following the trouble in Little Rock, Arkansas, in 1957, because I was chief counsel for the Negro school children in the Little Rock case, I found it necessary to be armed for several months for my own self-protection, because the town that I lived in was some forty-five miles from Little Rock, and I was constantly being harrassed and intimidated. And, I duscussed it with the chief deputy sheriff, and some others - who had not hesitancy about suggesting that I arm myself for my own self-protection.

Warren: The question is different if one is defending oneself as oneself -

and taking the position of social responsibility, for a particular movement - a particular philosophy, perhaps.

Branton: Oh, yes. Now, when you say that Mr. Evers, for example, is armed, I assumed just from the mere statement, that he's armed solely to protect himself - to defend himself, in view of the fact that his brother was assassinated and -

Warren: His brother was armed too, I'm told, and kept arms handy.

Branton: He kept them handy, but I doubt seriously if he was armed at the time of the shooting.

Warren: I don't mean he carried side arms. I don't mean that - I don't know. I'm not implying that.

Branton: No.

Warren: But there are other people in the Negro movement who have a weapon in the house - their squirrel gun, and have gone out and gotten rid of it so they wouldn't have any at all around.

Branton: Well, I don't think too many people have gotten rid of guns on that account.

Warren: Well, might have to argue with Mr. Lawson. He knows a case of this in -

Branton: Where people have gotten rid of guns?

Warren: Yes, if he has a sporting rifle of some kind around - you dispose of it, and get you know, be clean.

Branton: Well, I don't know of anybody who - I - who has gotten rid of guns or rifles around their home.

Warren: This - around the home, I'm talking about.

Branton: No, I - in the practice of law, I have represented a number of people who have been charged with illegal possession of weapons, but most times these were people who had made a practice of carrying a pistol, either on their person, or in their automobile. I know a number of people who have ceased to carry weapons in their vehicles, or on their person because they didn't want to be charged with the illegal possession of guns, but I, frankly, know of nobody who has gotten rid of a gun that they had at home.

Warren: Well, then, you're ..... , except Mr. Lawson was saying that there are a number of people who wanted to carry the principle of non-violence so far that there would be no possibility of, you know, of this weapon being even at hand, incase of a crisis - or to be suspected of having arms available.

Branton: Mr. Warren, I have no facts or figures to substantiate the statement which I am about to make, but I'm of the opinion that far more people in the past few years have purchased or secured guns and put in their homes, than have gotten rid of guns, and they have put these guns in their homes as a means of self-protection, or self-defense only, because of a great fear that somebody might go overboard one night, or one day, and come out to do them harm. And, I think, that this far outweighs the number of people who might have gotten rid of a gun because of some theory of non-violence.

Warren: Well, that's my guess.

Branton: And I think that's true among both white and colored people.

Warren: Let's turn to the Civil War for a moment.

Branton: Um, hum. A little bit before my time.

Warren: Little before your time - little before mine too. How do you interpret the moral issue in the Civil War, if any?

Branton: Well, are you talking about my personal -? - view?

Warren: Your personal interpretation of the Civil War. I have Frederick Douglas - is here before me, now. Or shall I leave that - read that one first?

Branton: No, I have never felt that the Civil War was a war which was fought to free the slaves, or that there was any big issue over whether or not slavery should be tolerated. I've always felt that the War came on because of economic and political disputes and that slavery, slavery really was a side issue. And, that - while you had a number of sincere abolitionists, that this was not begun as any great moral issue at all, and the freeing of the slaves was a necessary act of war on the part of the President, who felt that unless he did free the slaves - that the North was just going to be licked. And, of course, you had a number of abolitionists who were pushing for this anyhow, and I think the two forces just merged. And, I think that the development of it - there's a great moral issue is something that really followed the actual conflict. Even now, I detect a shifting attitude on the part of Southerners and Northerners, who no longer want to refer to it, for example, as the Civil War. They want to call it now - the War Between the States.



Warren: Yes.

Branton: And they are getting away from the use of the words Civil War altogether in the South.

Warren: How do you read Lincoln's character and Lincoln's motives?

Branton: With mixed feelings, because as a youngster I was exposed to a fairly good library, and - in my grandparents' home, and I read a number of books about Lincoln, and where as a good many kids might have come up with the idea that Lincoln was a great friend of the Negro people and wanted so much to abolish slavery and whatnot, I am still influenced by my early readings - readings which - about Lincoln, which took place even before I actually studied history, even in high school. And, I've not even bothered subsequently, to find out whether or not there was good authority for the statements which Mr. Lincoln is quoted with. I recall one for example. He is alleged to have made a statement that if there was a young, white maiden on the beach and there was an alligator or crocodile approaching from one side and a Negro approaching from the other, he as soon that the crocodile reach her first - or words to that effect.

Warren: I remember that. I don't know how well substantiated that was.

Branton: I don't know whether or not this is substantiated by any competent historian or not, but I must admit that I had a rather - I've had rather mixed feelings about Mr. Lincoln, because of these earlier readings. I do know that regardless of what his attitude may have been, prior to the Civil War, that certainly after the Civil War he seemed to recognize

the contribution of Negroes in helping to win the war and is responsible for much of the favorable attitude which developed towards Negroes during the period of the Reconstruction.

Warren: This remark is made ij - after the Emancipation Proclamation, to a committee of Negroes, three Negroes, who came to the White House to express appreciation. This is a passage from it. "Whether it is right or wrong, I need not discuss. This difference, this physical difference is a disadvantage to us both from ..... but for your race among us that there could not be a war, although many, many engaged on either side do not care for you, or - one way or the other, it's better for us to be always separate". And there's other -other: Lincoln ..... as he was - a racist, as we would say.

Branton: Yes, well, he -

Warren: But, now I was talking about this with quite a few eminent historians lately, and they both said, "Well, you couldn't find a man in the country that wasn't a racist!" "Or in Europe". What I'm getting at is this - the two things. There's been a vast change in the climate of opinion on this matter, hasn't there? In a hundred years.

Branton: Oh, yes, very much.

Warren: How do we account for this? Change in the climate of opinion? There's a racism now, an active racism - I don't know you would estimate it - but they certainly aren't what they were in 1865.

Branton: Well, of course, there are a number of factors which we would

contribute to this changed attitude. We must think of the number of immigrants who have come to this country, subsequent to 1865. At the time that Lincoln made this statement, we must realize that the majority of the Negroes in this country were right out of slavery. There had been no opportunity for them to prove themselves in any field, and as you get to know people you see that they can do things and that they can contribute to the growth and development of a country. You naturally have a changed attitude.

Warren: Plain record of achievement, is that the same -

Branton: Yes, yes, and we've noticed this, for example, in Africa, almost overnight. I recall, when I was studying geography concerning Africa, everybody was carrying a spear in his hand, practically, and we were subjected to the Tarzan movies, and whatnot - or else we'd get some missionary who would come back and show us the naked people of Africa, and not we look around - we've got these African diplomats arriving on jet planes and getting out, wearing Brooks Brothers suits, carrying attache cases, and conducting themselves in the manner befitting gentlemen, and people are already changing their attitudes toward a whole continent - solely because of the picture and the image, which they are subjected to now.

Warren: Plain achievement.

Branton: The whole image of Africa was one of somebody carrying a spear, prior to - well, say, even ten years<sup>ago</sup>/almost.

Warren: What about anthropology?

Branton: In what way?

Warren: Just the study of anthropology is a new study, it's happened the last twenty-five - I said -

Branton: Well, these have all been - I think, for the most part I think there's maybe - as best I recall from news articles there's just one or two exceptions - most of them have been quite favorable to Negroes, and in that - that also brings out something that perhaps should have commented on in the answer to the previous question about this changed attitude.

Warren: That's what I mean.

Branton: People are so mixed up now, and for example, in 1865, you could look out there and you saw nothing but almost pure black faces. People who had the features of the people who had been actually been brought over from Africa. But, you look out into an audience now of Negroes. It's a rare thing for you to find anybody who even looks the part of somebody who had come right out of West Africa, because people are just all mixed up. Races are all mixed up, and this cannot help but result in a changed attitude.

Warren: And there are so many different kinds of Negroes in Africa.

Branton: This is true.

Warren: Something that we're going to name Negro, but actually as distinct as an Englishman and a Chinaman, in their qualities as well as complexion.

Branton: That's right - this is true. Yes, and they're suffering - these self-governing countries now, suffering from some of the very same problems within their own country - growing out of these differences - that

make some of our differences over here look very minor.

Warren: Yes. What I'm getting <sup>at</sup> here in a way, is this changed climate of opinion that has happened in my time - not going back to '65. From the time I was able to vote - it's very hard now, if you take an educated Southern boy, who been to a good school, good college, to find, if pressed, he will not say, "Sure. I believe in <sup>equal</sup> performance of the races".

Branton: Well, I can refer you to a changed attitude that is even of a shorter duration than say, during your lifetime or during my lifetime. I came to Atlanta in January of 1962 to set up the voter registration project. At that time the Georgia legislature was in session. A mixed group of white and Negro students went down to observe the working of the legislature and they insisted on sitting together. They were ordered to separate, so that the Negroes would go to the Negro section of the gallery and the whites to the white section. When they refused to do so they were all arrested. They were taken to jail and when they got out of jail they came back and tried to sit in, and they closed the gallery to spectators. Then they started picketing out in front of the capitol and the legislature passed some emergency legislation to prohibit picketing on state property. Now, that summer, there was a big increase in Negro registration here in Fordham County and throughout Georgia; the Federal Court struck down the notorious county unit system. There was reapportionment of the State Senate, and that summer a Negro was elected to the Georgia Senate. Then in January of '63 he took his seat - the first time a Negro had been elected in more than fifty years.

The mere fact that a Negro had been elected to the Georgia Senate, and the fact that he had been serving on some committees before the Senate opened, apparently was sufficient to bring about a change in the attitude of the people who run the building over there, knowing that they would get the support from the legislature - that every racial sign was taken down. And, one year later, people could go in and sit in the gallery and sit wherever they darned pleased and there were no signs, saying White or Colored. And, the issue of segregation in the State capitol became moot, just one year later - but which we point back to the power of the ballot, helping to bring that change.

Warren: In Memphis, Tennessee -

Branton: But the fact that a Negro was elected was not sufficient to make them take down these signs, just by itself. I think ultimately it would have been, but I really think that because Leroy Johnson was the kind of person, and had the kind of personality that he could get in there and work with the senators, and was accepted - he was able to say to them, "Well, this is ridiculous to have this sign up here" - and one senator saying it to another - I'm sure that he has opened up a lot of doors and has helped to remove some barriers. And he's changed the attitude because people have come to know him, and there are a lot of legislators that never had any previous dealings or experience with that caliber of Negro.

Warren: What about the possibility of - possibilities in this situation

of having two candidates from Mississippi for Congressional seats.

Branton: I don't think there's much chance of them winning out there in - is that what you're talking about?

Warren: Yes. And if they don't win, then what about the protest?

Branton: Well, Mississippi is the worst state in the Union, all the way around on the racial question. Mississippi has fewer registered Negro voters than any of the states in the South.

Warren: It's got five per cent, or something. It's a handful.

Branton: That's right. It's a lower - it's even a lower percentage of Negroes registered - you have less than thirty thousand Negroes registered in the whole State of Mississippi. They can't possibly win an election. And, I think the whole idea is focussed toward the problem of trying to involve the Federal government and everybody else in doing something to remove the discrimination which exists so that Negroes can freely register.

Warren: This is way of dramatizing - by making a protest, and by contesting the election.

Branton: This is true.

Warren: Of a white candidate. This would give a ground for refusing a seat to the elected - the presumptive, elected candidates from Mississippi.

Branton: This is correct - but might force the State government and local registrars to change their attitude and to start registering Negroes.

Warren: Clever tactic, isn't it?

Branton: Yes, and frankly there's some legislation on the books which could prove rather interesting, because it has never been tried which gives people the right to challenge an election, where any group of people were denied the right to vote. And, I think what they plan to do is to appoint registrars and under this - their own registration system to get people to try and go down and register first with the regular registrar, and when they can't, come and register with them - and if enough of these people register under this system, and vote for the candidate in the other election, it might well be that they are able to get more people in a certain political sub-division voting for this Negro candidate than the total number of votes cast in the official election - and if so, they might be able to at least form the legal basis of challenging the right of this other person to be seated.

Warren: Ingenious, isn't it?

Branton: Yes, it is.

Warren: What do you think of Robert E. Lee?

Branton: I don't have enough of a background in studies concerning Robert E. Lee to really have much to think.

Warren: He was an emancipationist.

Branton: Yes.

Warren: The slave didn't believe in slavery.

Branton: This much I have read.



Warren: I'm sure.

Branton: I just really, other than his position with the Confederacy and all, I just never have given it much thought one way or the other.

Warren: It makes an interesting problem, doesn't it?

Branton: Yes, it does. Yes, it does.

Warren: Lincoln and Lee are a very interesting pair. What about Jefferson? What do you think of him. Thumbnail.

Branton: Very frankly, I have very little in the way of opinions concerning most of the earlier leaders of our country. Now, this may seem surprising. I've been more actively involved and interested in current leaders, and while I was always a great student of history - back in my high school and college days, it was something that I just read but didn't form too much in the way of opinions about men. I formed opinions on matters of principle, but very little opinions with reference to men. I was more interested, and have always been interested in opinions regarding current leaders.

Warren: Yes. It leads to us certain - it leads me to reflect on the march in Washington, lined up to the Lincoln Monument in a ...., you know - curiosity - or interest -

Branton: Such as?

Warren: Well, here's a racist, whose monument - this march on Washington lines up winds up in celebration.

Branton: Well, except that -

Warren: .....the symbolic values to real - to historic values of somethings.

Branton: Well, this is true, but to the vast majority of Negroes there is this feeling that Lincoln was the Emancipator, and that Lincoln is the hero of the Negro freedom movement - that is of the older leaders.

Now -

Warren: We're up against <sup>a question of</sup> what constitutes historical utility, you see, that - now in history.

Branton: This is true.

Warren: We want to - a lie that serves - and as a matter of fact, see I'm an admirer of Lincoln. I'm not saying "damn Lincoln" because of that. I say <sup>if</sup> a man live in that time, they work in that time, you see. Limits proposed by their society and all this .... I'm not trying to make out, you know, a ..... course. The point, you know, that seems to be is that it seems important for the world not to make all its heroes simply false heroes - uninformed - heroism uninformed.

Branton: Well, I think that is true among the vast majority of Negroes - that they are uninformed. There's a sort of a popular feeling among older leaders who frequently used to say, because most Negroes for a long time were in the Republican Party, as you probably know, and there was this <sup>old</sup> attitude - Lincoln was a Republican. Lincoln freed the Negroes - therefore, I'm a Republican. And even now there are Negroes who are Republican because Lincoln was a Republican and

Lincoln freed the Negroes. And, of course, we know that the majority of Negroes today are Democrats. No question about it.

Warren: As of 1932.

Branton: Well, actually since 1946, since Smith versus Allright decision, outlawing the white primary in the South. That's when you had your big development, because prior to that time the Negroes could not in the Democratic primary, and the only thing they could vote in was the general election and since they couldn't vote in the Democratic primary, they voted the Republican ticket. And -

Warren: South.

Branton: Yes, and of course, too, this was true also even though they had the right to vote in the Democratic primary in the North, I have not looked at any figures which would compare it, but I'm of the opinion that the majority of the Negroes voting throughout the North were probably more inclined to vote Republican, except in certain local elections. Even today, a vast number, I don't know how the percentage would run, but a rather large number, of your Negro business and professional people, who are fifty years of age and older and probably Republican. Throughout the country.

Warren: They are?

Branton: Yes. And this town is a very strong Republican town among Negroes.

Warren: Well, a lot of Catholics are Republican too, when they get rich.

Branton: Well, that's true. That is true.

Warren: It's a point of security.

Branton: Yes, that's true.

Warren: So, maybe a whole circle then for certain Negroes.

Branton: But, the followers and the poorer people have shifted to the Democratic party.