"Our concern in this matter is . . . our fear that the entire cause of integration will suffer as a result of the precedent set in this case . . . ."

RECD SEP 28 1961

A Petition for Clemency

THE HON. JOHN F. KENNEDY
PRESIDENT OF THE UNITED STATES:

We, the undersigned, petition for clemency in the matter of the U. S. Supreme Court decision in the case of Carl Braden vs. the United States, which causes the one-year imprisonment of Carl Braden for contempt of the House Un-American Activities Committee.

Mr. Braden, a Southern integration worker, was subpoenaed to appear before the Committee in Atlanta, Georgia, during 1958, and was questioned about his activities in the integration movement and his personal beliefs and associations. He took the position that the very asking of such questions by a governmental committee denies a citizen the freedom of speech and association guaranteed by the First Amendment to the U. S. Constitution, and he declined to answer the questions.

The Supreme Court voted 5-4 to uphold his conviction. In a dissenting opinion, Justice Hugo Black stated: "The petitioner has for some time been at odds with strong sentiment favoring racial segregation in his home state of Kentucky. A white man himself, the petitioner has nonetheless spoken out strongly against that sentiment. This activity . . . . seems also to have been the primary reason for his being called before the Un-American Committee . . . . (This is) a decision which may well strip the Negro of the aid of many of the white people who have been willing to speak up in his behalf. If the Un-American Activities Committee is to have the power to interrogate everyone who is called a Communist, there is one thing certain beyond the peradventure of a doubt—no legislative committee, state or federal, will have trouble finding cause to subpoena all persons who take a stand for or against segregation . . ."

It is of some concern to us that Carl Braden has already spent eight months in prison in Kentucky for his stand for integration—a case in which the conviction was reversed and for which he was never compensated by the State of Kentucky. However, our main concern in this matter is not the welfare of this one man but our fear that the entire cause of integration will suffer as a result of the precedent set in this case.

The House Un-American Activities Committee, Senator Eastland's Internal Security Subcommittee, and various Southern state committees modeled after them claim to look for subversive activity, but actually they seem to be used in the South to try to destroy people and organizations working for integration. Their principal targets are white people who stand against segregation, but they are beginning also to attack Negroes, as in the case of the Rev. Theodore Gibson of Florida, who was sentenced to six months in prison for contempt of the Florida Committee. The simple act of subpoena has become a method of intimidation.

We are witnessing today a revival of McCarthyism in the South, because all other weapons of the segregationists are failing. The success of the Un-American Activities Committee in jailing Carl Braden will create fear and thin the ranks of the white people who would join with the Negro in the struggle for a democratic South and may well serve as a springboard to a new wave of repression in the Southern states.

We therefore urge Presidential clemency on behalf of this man to reaffirm the position of the Federal Government supporting peaceful and orderly integration in the South.

Initiating Signers

THE REV. WILLIAM B. ABBOT, Norfolk, Va.
THE REV. RALPH D. ABERNATHY, Montgomery, Ala.
SARAH PATTON BOYLE, Charlottesville, Va.
CARL P. BRANNIN, Dallas, Tex.
JAMES McBRIDE DABBS, Mayesville, S. C.
THE REV. W. W. FINLATOR, Raleigh, N. C.
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