

## The People

## DOUBLE THINK

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By JERRY DeMUTH

When U. S. District Court Judge E. Gordon West tossed out the Justice Department's first voter intimidation suit on February 4, it should have come as no surprise to people who know Judge West's background, or the background of most federal judges in the South.

The suit, which had been tried last December, charged seven men and one corporation of using economic reprisals against Negroes who registered to vote. Their actions included firing Negroes from jobs, terminating share-cropper agreements, imposing rent on houses for which no rent had previously been charged and evicting Negroes from tenant houses.

West didn't just rule against the government in this particular case, he also went so far as to state that the 1965 Voting Rights Act was a flagrant violation of the Constitution.

West, who is from Baton Rouge, is a law partner of Sen. Russell Long. The late President Kennedy appointed him U. S. District Judge for the Eastern District of Louisiana on September 2, 1961. He wasted no time showing what a confirmed segregationist he is.

In 1962, with Judge Frank B. Ellis of New Orleans, another Kennedy appointee, West up-

held a Louisiana law requiring the race of all candidates to be printed on ballots.

In March 1963, he ordered East Baton Rouge to produce a school desegregation plan. But then he went out of his way to state in his opinion: "I personally regard the 1954 holding of the Supreme Court in the now famous Brown (school segregation) case as one of the truly regrettable decisions of all time.

"Its substitution of the so-called 'sociological principles' for sound legal reasoning was almost unbelievable. As far as I can see, its only real accomplishment to date has been to bring discontent and chaos to many previously peaceful communities, without bringing any real attendant benefits to anyone.

"And even more regrettable to me is the fact that almost without exception the trouble that has directly resulted from this decision in other communities has been brought about not by the community involved but by the agitation of outsiders, from far distant states, who after having created turmoil and strife in one locality are ready to move on to meddle in the affairs of others elsewhere."

Two months later, West was a member of a three-judge federal court sitting in New Orleans which struck down a Louisiana statute enforcing segregation in hotels. Again West went out of his way to state in his opinion his

own firm belief in segregation and discrimination and to invite others to hold and act out such beliefs.

In September of the same year, West, at the behest of Plaquemine authorities, issued an injunction to prevent CORE from continuing demonstrations in that eastern Louisiana town. He took this action although only four months earlier the Court of Appeals for the Fifth Circuit, which is his judicial superior, had reversed a similar injunction against CORE in McComb, Mississippi. That injunction had been issued by Judge Harold Cox, Kennedy's most notoriously racist judicial appointment. Cox, one time from the bench, went so far as to refer to Negro voting applicants as "chimpanzees who ought to be in the movies rather than being registered to vote."

(Cox was recommended to Kennedy by Senator James Eastland of Mississippi. Eastland also recommended President Johnson's most recent appointment, Dan Monroe Russell, another segregationist who recently shocked people by telling anecdotes about "colored persons" who appeared in his court.)

As long as presidents continue to talk of civil rights from one side of their mouths and then name segregationists to the federal bench from the other side of their mouths, progress in achieving civil rights will be small and slow.