

THE WHITE HOUSE WASHINGTON DC SEPT 27 1957

MRS WHITMAN, NEWPORT

FOLLOWING TELEGRAM FROM SENATOR RUSSELL.

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THE PRESIDENT

THE WHITE HOUSE

AS A CITIZEN, AS A SENATOR OF THE UNITED STATES,
AND AS CHAIRMAN OF THE SENATE COMMITTEE ON ARMED SERVICES,
I MUST VIGOROUSLY PROTEST THE HIGHHANDED AND ILLEGAL METHODS
BEING EMPLOYED BY THE ARMED FORCES OF THE UNITED STATES UNDER
YOUR COMMAND WHO ARE CARRYING OUT YOUR ORDERS TO MIX THE RACES
IN THE PUBLIC SCHOOLS OF LITTLE ROCK, ARKANSAS.
IF REPORTS OF REPUTABLE PRESS ASSOCIATIONS AND NEWS WRITERS ARE TO
BE BELIEVED, THESE SOLDIERS ARE DISREGARDING AND
OVERRIDING THE ELEMENTARY RIGHTS OF AMERICAN CITIZENS BY
APPLYING TACTICS WHICH MUST HAVE BEEN COPIED FROM THE MANUAL
ISSUED THE OFFICERS OF HITLER'S STORM TROOPERS. THE OVERPOWER-
ING MILITARY MIGHT YOU HAVE ASSEMBLED THERE MAKES SUCH ACTIONS
AS THESE NEWSPAPER ACCOUNTS DESCRIBE COMPLETELY INEXCUSABLE
UNLESS THE PURPOSE BE TO INTIMIDATE AND OVERAWE ALL THE PEOPLE
OF THE COUNTRY WHO ARE OPPOSED TO MIXING THE RACES BY FORCE.

THESE DISPATCHES AGREE THAT AN UNARMED CITIZEN HAD
HIS HEAD CRACKED BY A RIFLE BUTT WHILE STANDING PEACEFULLY ON
PRIVATE PROPERTY MORE THAN ONE BLOCK REMOVED FROM THE SCHOOL
AFTER HE HAD TOLD YOUR TROOPERS THAT HE WAS THERE WITH THE
CONSENT OF THE OWNER OF THE PROPERTY.

ANOTHER ACCOUNT RELATES THAT THREE OR MORE CITIZENS
WERE PUSHED DOWN A STREET, WITH BAYONETS AT THEIR THROATS,
WHILE A BELLICOSE SERGEANT SHOUTED AGAIN AND AGAIN QUOTE KEEP
THE BAYONETS AT THEIR THROATS UNQUOTE.

AN ASSOCIATED PRESS DISPATCH FROM LITTLE ROCK DATED
TODAY STATES THAT EIGHT PERSONS ARRESTED BY YOUR TROOPERS AT
VENTRAL HIGH SCHOOL YESTERDAY HAD BEEN HELD IN JAIL
INCOMMUNICADO OVERNIGHT WITHOUT ANY CHARGES HAVING BEEN FILED
AGAINST THEM AND HAD BEEN DENIED THE RIGHT TO CALL A LAWYER.
THE DISPATCH FURTHER STATES THAT EFFORTS TO FIND OUT WHAT
WOULD BE DONE WITH THE EIGHT PEOPLE WERE FRUITLESS, AND BOTH
THE FBI AND THE UNITED STATES MARSHAL DISCLAIMED ANY KNOWLEDGE
OF THE CASE.

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THE PRESENT SUPREME COURT HAS IN A NUMBER OF CASES FREED
CONFESSED NEGRO RAPISTS AND MURDERS BECAUSE THEY WERE NOT
ARRAIGNED WITHIN A PERIOD OF TIME THAT THESE EIGHT PEOPLE HAVE
BEEN IMPRISONED AND DENIED THE RIGHT OF COUNSEL BY MILITARY MIGHT.

UNDER THE DECISION OF EX PARTE MILLIGAN, MILITARY
COURTS HAVE NO JURISDICTION WHERE CIVIL COURTS ARE AVAILABLE.
I WOULD NOT CHALLENGE ANY CONTENTION THAT THE PRESENT SUPREME
COURT WOULD REVERSE THIS DECISION IN ANY CASE INVOLVING SCHOOL
INTEGRATION, BUT THEY HAVE NOT YET DONE SO, AND UNDER EXISTING
LAW THESE EIGHT MEN, WHATEVER MAY HAVE BEEN THEIR CRIME, HAVE
BEEN CLEARLY DENIED THEIR CONSTITUTIONAL RIGHTS.

I DO NOT HAVE FIRST HAND INFORMATION OF THE FEELING
OF THE MAJORITY OF THE PEOPLE IN LITTLE ROCK. THE ATTENDANCE
IN THIS SCHOOL WOULD INDICATE THAT A MAJORITY OF THE PEOPLE
DO NOT HAVE VERY STRONG FEELINGS AGAINST INTEGRATING THE SCHOOL.
BUT IF A MINORITY OF ONE WHO HAS CONFESSED THE CRIME OF RAPE
AND MURDER IS ENTITLED TO EARLY ARRAIGNMENT AND COUNSEL, THE
EIGHT DISSENTERS AT LITTLE ROCK SHOULD NOT BE DENIED THEIR
RIGHTS MERELY BECAUSE THE PRESIDENT OF THE UNITED STATES SAW
FIT TO PLACE THE SCHOOL UNDER MILITARY CONTROL.

THE LAWS OF THIS COUNTRY GIVE AMPLE AUTHORITY TO
UNITED STATES MARSHALS TO DEPUTIZE A POSSE OF SUFFICIENT
STRENGTH TO MAINTAIN ORDER AND CARRY OUT ANY DECISION OF THE
COURTS. IT HAS NEVER CONTEMPLATED THAT SUCH A GREAT AGGREGATION
OF MILITARY MIGHT WOULD BE DIVERTED FOR THIS PURPOSE.

HOWEVER, SINCE YOU HAVE SEEN FIT TO ORDER THE TROOPERS
INTO ACTION, THEY SHOULD OBSERVE THE ELEMENTARY RIGHTS OF
AMERICAN CITIZENS WHO ARE VIOLATING NO FEDERAL LAW, ESPECIALLY
IN THE ABSENCE OF A DECLARATION OF MARTIAL LAW.

THERE ARE MILLIONS OF PATRIOTIC PEOPLE IN THIS
COUNTRY WHO WILL STRONGLY RESENT THE STRONG ARMED
TOTALITARIAN POLICE-STATE METHODS BEING EMPLOYED AT LITTLE
ROCK. THE FACT THAT THESE TACTICS ARE UNNECESSARY MAKES
IT EVEN MORE TRAGIC.

THERE ARE A NUMBER OF OTHER ASPECTS OF THIS CASE
AS REPORTED IN THE PRESS WHICH DO NOT REFLECT CREDIT UPON
THOSE IN COMMAND OF THIS ARMY OF TROOPERS. UNLESS CORRECTED
THIS WILL BRING THE ARMED SERVICES INTO DISREPUTE.

I EARNESTLY INSIST THAT ORDERS BE ISSUED PROHIBITING THESE
ACTS OF VIOLENCE WHICH ARE WHOLLY UNNECESSARY, ESPECIALLY
IN VIEW OF THE FACTS THAT THE NEGRO CHILDREN HAVE A LARGE
ARMED PERSONAL ESCORT TO AND FROM THE SCHOOL; THAT ARMED
TROOPERS PATROL THE CORRIDORS AND CLASSROOMS; AND THAT A
CORDON OF ARMED TROOPERS SURROUNDS THE SCHOOL.

THE UNITED STATES GOVERNMENT IS UNDOUBTEDLY LIABLE
IN PECUNIARY DAMAGES FOR ANY ATTACKS UPON UNOFFENDING
CITIZENS. WE HAVE SURRENDERED AN AMERICAN SOLDIER ACCUSED
OF AN ATTACK OF VIOLENCE AGAINST A JAPANESE NATIONAL TO THE
JAPANESE COURTS FOR TRIAL. WE CANNOT DO LESS THAN INVESTIGATE
THESE ATTACKS AND PROPERLY PUNISH ALL OF THOSE WHO MAY HAVE
BEEN GUILTY OF UNNECESSARY VIOLENCE AGAINST INOFFENSIVE AND
PEACABLE AMERICAN CITIZENS

RICHARD B RUSSELL.

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