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Audiotape ID number:

Date:

Guest (s):

Title:

Note: Questions were paraphrased and/or shortened by the transcriber. For the exact question, please consult the audiotapes.

#6239 R – “Reactions to Ole Miss Situation”

Guest: Judge Russel D. Moore, Hinds County

Morphew: How have Mississippians reacted to the ‘armed, federal invasion’

Moore: Dick, I think the reaction of the people of the state is very similar to my own. This has been verified by talking to many different people throughout the state. I flew up to Oxford on Sunday and landed there at approximately 5 or 5:30 PM. In making the approach for the landing, the pilot and several others in the airplane could see nothing but marshals and soldiers, army transport planes, other army equipment in and about the air field and it was a feeling of, this territory is occupied by foreigners. We felt like we were in a foreign country and had been occupied. I would say for several hours I personally was in a state of shock and that shock eventually led to a cold anger and I believe this cold anger is a feeling of the vast majority of the people in the state of Mississippi.

Morphew: In the aftermath there were deaths and injuries...who is to blame?

Moore: No question whatsoever in my mind, Dick it was definitely caused by the marshals who were surrounding the Lyceum Building. At the particular time of our arriving on campus there was a small group of students who were like any other college crowd, hollering and whooping it up but as far as anything being done to cause a breach of the peace, the students were not participating in that type activity. Shortly after we arrived on the campus, Sen. George Yarborough went to see the chief marshal to find out exactly what they intended to do. While he was talking to them and while the unarmed highway patrolmen of the state of Mississippi were keeping the crowd of students back from the Lyceum Building, for some unknown reason the word, ‘fire the gas’ was given by the marshals and they began shooting the gas. I walked over into the area at that time and many of the students were very much upset and angry, ready to do almost anything to

remove these marshals from the campus, up until the firing of the gas there was no difficulty.

Morphew: Why were you there?

Moore: Well, I was there to assist Senator George Yarborough in coordinating the activities of the highway patrol, the sheriffs and deputies who were coming up to the university in order to maintain the peace. Shortly after this gas barrage by the federal marshals was done, by the way one of the first shots hit one of our highway patrolmen in the back of the head, shortly after this was done and 5 of our highway patrolmen were injured, we called the governor and requested that we be permitted to withdraw the highway patrolmen. This occurred somewhere around 9:15 to 9:30. The governor at that time refused and said, keep them on the job in order that they might try and maintain the peace up there.

Morphew: And was this done?

Moore: This was done until later on when so many of the highway patrolmen had been overcome by the gas that it was necessary at that time to withdraw.

Morphew: RFK (AG) claims that the MHP was withdrawn at approximately 9:35 PM, is that true?

Moore: Robert Kennedy is not fully advised, has tried to mislead the people. Actually, at the time he states the highway patrolmen had been pulled out, they were on the job because I was there and present.

Morphew: The patrol only pulled out to regroup and more orders only after large numbers of injuries?

Moore: Or were gassed, one or the other. In other words, that gas is pretty strong. Actually, when we flew out of there several hours later, looking back on the campus, it was just a conglomeration of gas all over the place.

Morphew: What is the current situation on campus which is under 'military occupation'? how are students functioning?

Moore: Well, frankly, I don't see how any student at the university could actually acquire an education under the circumstances which now exist. After all, you have armed troops in and about the campus at all times, you have marshals following James Meredith back and forth from class to class and to his room and to eating and certainly this would cause agitation among the students, would cause them to remain in a constant state of excitement and agitation. In addition that that, too, I understand that some rather harsh rules have been laid down with respect to the conduct of the student body as a whole which many of us are questioning as being violative of their constitutional rights, the constitutional right to peaceful assembly, the constitutional right to freedom of speech.

Morphew: Were the rights of the students or the residents of Oxford, during the initial phase of this 'occupation' respected in any way by the military?

Moore: I have had 2 people here in Jackson call me who lived in countries which were occupied by Hitler. One was a lady who called me in hysterics stating that this was the same thing that had occurred in her country. Another friend or associate of mine who lived in Poland called me and stated that Hitler had much more finesse than the present administration in taking over this area without declaring martial law. Certainly, a review of the unlawful searches and seizures conducted by the United States army constitutes a violation of the constitutional rights of those people. There were many, many violations. Actually, taking the violations and applying them to the constitution of the United States, there were 4 Bill of Rights violated.

Morphew: 31,000 troops there or in reserve at one time, was this necessary?

Moore: Certainly not, Dick. I don't believe that actually it was necessary for troops to be brought in in the first instance, for the reason that if the government had kept faith with the people of the state of Mississippi then our local law enforcement officers would have been able to maintain the peace. Just the week prior to that Sunday during that week when the marshals, along with James Meredith, presented themselves for enrollment at the university, there were the highway patrolmen, some sheriffs and deputies from throughout the state on hand, students were kept out of the area, any other unauthorized personnel were kept out of the area and things went along very smoothly. There were no breaches of the peace and I believe that this matter if it had been held over until Monday morning, would have gone off accordingly.

Morphew: Stories out of Oxford have been incredible like housewives not being able to go to the grocery stores and buy food for their families. Can you verify these reports?

Moore: I have verified and have assisted in taking statements relative to students and travelers being stopped and searched, their vehicles being searched. We had one lady legislator from Marshall County who was returning to the legislature on Monday, the first of October. She was stopped and searched, her automobile was searched, no warrant was presented. It was just a matter of either submit to being searched or being put in a stockade.

Morphew: Is the DOJ trying to pressure students and faculty to accept Meredith?

Moore: It's one thing that concerns me a great deal at this time. Certainly, none of us have given up the fight but the fact that the federal government can send in their Attorney General to make talks to the law students, to apparently talk to the various professors for all you will recall that Chancellor Williams and others at the university are under an injunction from the Court of Appeals. Certainly, they wish to comply with the injunction. The pressure is put on by the Justice Department that they establish rules and regulations that they try and make the students accept Meredith and we also see where those that are

charged with not accepting Meredith will be brought before some student judicial council to be tried and certainly the members of the student judicial council will not wish to do any matter which would cause the faculty to feel harshly toward them.

Morphew: Is this coercion successful?

Moore: I don't not think so. I think that the students have definitely decided that the question of the right of the state to determine its course in matters dealing with internal affairs should prevail. I believe that the matter is not directed directly toward Meredith. He merely is a pawn. It's a matter that the students feel is disrupting their whole society, disrupting their educational process and they resent it very deeply. I think that this resentment will continue.

Morphew: Net effect politically? "Have the Kennedy's miscalculated the effect of the occupation of Oxford?"

Moore: In my opinion, I believe that they have. I think that the entire nation, probably, is beginning to wonder, is it worth it? If they can do that in Mississippi, can they not do that in California or New York or Pennsylvania? If they can send troops in here to put one man in a school, cannot they send troops in to force one employer to hire one employee? In other words, where does it stop? Have they not violated every concept of the original intent of the founding fathers of this nation?