

ROBERT PENN WARREN BOX 9 TOUGALOO STUDENTS FEB. 11 TAPE #2

RPW: We're back in business. I promised you an important question, didn't I? I'm making it fast. Do you think the Beckwith trial was rigged?

BOY: It's hard to say - knowing Mississippi. I accept anything that's possible. When I found that they had exposed the vote of the jury and found the vote was 7 to 5, I thought that was phoney - I mean, it didn't impress me, rather - because it's very seldom that you'll ever see that.

RPW: A hung jury is usually 11- 1, you mean?

BOY: No - well, not that - it's just that they exposed the vote of a hung jury, I thought.

RPW: What is the relevance - I just dropped a stitch here, and I - you mean, exposed it, you mean?

BOY: Yes.

RPW: Why would they expose it now? Why is that - what significance has that?

BOY: Why would they expose it now?

RPW: Yes. At this stage.

BOY: I don't know. Well, it probably at least showed that there were five people with reflective ideas in the state.

RPW: They exposed it in order to say, look how honest we are - what a fair trial this was? There are people who say in Jackson that this was all cooked up beforehand - it was going to be a 7 to 5 vote - the taxi drivers were taking the - an agreement between the defense and the prosecution to give testimony -

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the whole thing was a drama - this was said, as you know. And now after the great exhibition of impartiality at the trial that the second trial there will be a quick acquittal. Does that seem reasonable?

BOY: It's very logical.

RPW: Some people say there are no accidents in ~~tham~~ Mississippi - that everything has reason - has logic behind it. It's the only place in the world that they have these - have logic behind it - everything

That is, you would seriously consider the possibility that the whole thing has been rigged as a drama - is that right?

BOY: It's a possibility.

RPW: What do you think?

GIRL: I think it was rigged, because in the South I have never heard of a white man getting the death penalty for -

RPW: He didn't get that.

GIRL: I know - and - in the first place I don't believe that they would give it to him - I think it was all rigged - or either - if they don't convict him - if they do convict him they will probably put him in prison and maybe after three months the governor will give him a pardon.

RPW: Let's assume that is a long way to go to get a conviction - any kind - it's a very long way from mistrial to conviction.

GIRL: Well, Mississippi knows that the eyes of the nation and the world are on them right now, and they're going to have to do some-

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thing besides appease the rest of the world, so they might even get a conviction, but I don't believe they will ever give him the death penalty, and if he does get a conviction they're going to let him out real soon.

RPW: All right, you're getting awful far ~~ahead~~ ahead of this report of a mistrial now.

GIRL: Well, like I said - I think it was rigged, to happen like that.

RPW: It's interesting, though, that Mississippi should take the trouble to rig it. Isn't that some change of awareness, that they should take the trouble to rig it even?

GIRL: Yes, it is.

RPW: To take the trouble to pay that tribute to

GIRL: Right - I believe that it is, and it might be a good step forward - I don't know. But take -

RPW: It's a new idea - a rigged trial.

GIRL: Right. And since Medgar Evers was a Negro leader - a very popular with the Negroes - they probably feel that there might be violence on the part of the Negroes if they don't do something to him, but have a rigged trial, like they had already.

RPW: After all, he is lying in the national cemetery too, isn't he? That makes some difference.

BOY: But you don't convict a man just because of national sentiment or because of the sentiment of the Negro community, to appease anybody.

GIRL: No, but the evidence that was presented -

BOY: I know, but - saying like this was done - there were two people in Greenwood - or Greenville, rather, who said that they saw Beckwith.

GIRL : And there are many more people who say they saw him here.

BOY: Well, who's lying?

GIRL: But there are more people that were opposing him - saying they saw him here instead of in Greenville -

BOY: They're saying that one of the people who saw Mr. Beckwith was a policeman bringing him to Mississippi.

RPW: The taxi driver said that policemen don't lie.

GIRL: Well, they do lie - I know -

RPW: They do?

GIRL: Yes.

RPW: You shake me. (laughter)

BOY: Is it the law that no policeman can be cross examined in Mississippi - that his word is final?

GIRL: I don't know - well, I've never seen it done when I was in court.

BOY: Well, even if the jury knew nothing - if the jury had no awareness of whether these people were lying or not - they still couldn't have convicted a man because of a conflict in testimony. And for my part I have no knowledge of whether the thing was rigged or not, and I would say it was rigged.

(several speaking together)

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BOY: I just say that I don't know anything about it being rigged,
and possibility.

BOY: Well, no one knows.

GIRL: But you have your own opinion.

BOY: Yes, your own opinion is what we have - but there's a possibility that it could have been rigged, and there's a possibility that it could have been legitimate.

RPW: If legitimate, it marks some sort of change, doesn't it?

BOY: Quite a change.

GIRL: I don't know about that - because I feel like this - everybody is looking at this case because Mississippi has been a center of the racial tensions - Mississippi and Alabama - and now Texas - I think everybody is looking at this case and - I don't know whether you can call it a change or not because beforehand if something like this had happened and everybody noticing it and waiting to see what is going to come out of it - this might have - would have happened earlier - I think so. I don't know whether you can call it a change or not - I really don't.

RPW: I didn't say a change of heart - I said a change.

GIRL: What are you referring to?

RPW: That you've never had a trial like this in Mississippi before, where you got a hung jury case.

GIRL: And never have we had an incident as - where the Negroes have actually made a change in going upward - you know, in pushing something before - never have we had this before, either.

RPW: Sure - that's part of it - sure. But in a killing of Melton by Kimball in '56 - early '56 - there was an eye witness testimony - not even an attempt to get an alibi or contradict nothing - and immediate acquittal.

GIRL: Yes, but Negroes as stable as they are now?

RPW: No.

GIRL: Well, this makes a difference (speaking together) you say caused a change.

RPW: is a change.

BOY: The Negroes don't have to be stable - it's just people being willing to give other people justice.

GIRL: I don't know because I think this trial itself - its motives and all - there never has been such an outstanding man to the Negroes, and the Negroes are sticking together as they are - I think this made a difference in the trial itself - I really do. I - the only possibility is that this could have been rigged - there is a possibility that it wasn't rigged - nobody knows. And as far as our personal opinions - I believe it was.

RPW: Do you write off the possibility that one man among the five who voted for conviction was honest? Even one? Under pressure or something? You find it hard to think that even one man there would not vote for conviction? One white man - who stumbled onto that jury somehow?

GIRL: I don't know -

BOY: (indistinct)

GIRL: They were all Southerners.

RPW: You remember speaking of Southerners in such matters - you remember reading about - you certainly couldn't remember it because you weren't born then, but a certain Parker - a Southerner - was nominated to the Supreme Court in 1930, '29 or '30, by Hoover. That was the first time that there was concerted Negro political pressure brought to bear. They stopped his confirmation in the Senate - and it worked.

this man is a Southerner and therefore is prejudiced judge. It worked. The attorney was a very impartial man -

career - he wasn't on the Supreme Court - he was - like Judge Black. When Judge Black was nominated there was a terrible

the Southern Ku Kluxers - remember? He was a bulwark of the rebel side of the Court. How do you square those two facts with your notion, that you can't find one Southern white man who will be honest.

GIRL: I don't have that notion of it - not finding not one - on a jury. I didn't have that

RPW: Or in a court room.

GIRL: Well, I believe the jury was hand picked, like -

RPW: Did it take five men to -

GIRL: It was hand picked so they agreed - I believe that they would have voted -

RPW: Take five Jackson liberals to get

BOY: (indistinct)

GIRL: Well, they probably knew that they were getting more on

their side than -

RPW: Oh, I'm certain - particularly that way -
(indistinct section)

BOY: Something might be wrong about that.

GIRL: Well, that's why -

BOY: Have you ever put anything beyond the powers of the Mississippians - white Mississippians -

BOY: What do you mean, put anything beyond his powers?

BOY: Beyond what he would resort to in order to achieve what he wants.

BOY: Well, how can you say that this - there isn't a possibility - there might be a minute possibility, but - there is a possibility that they could have hand picked the jury beforehand.

RPW: We have a lot of things written about the white man's stereotype of the Negro. Sometimes the qualities in the stereotype are self-contradictory, of course - what about the Negro stereotype of the whites?

BOY: There is one.

RPW: What is it?

BOY: Well, you can't - I mean, I can't speak for all Negroes -

RPW: All right, then, talk about yours.

BOY: I have tried to remove all stereotypes - from Negroes, Chinese, Jews or whatever ethnic group you're talking about. But there are stereotypes within - ~~but~~ every human mind, I feel, - even though you try and remove them. You always think of a - well, at least

in Mississippi if somebody says, well, - somebody says she is going to work and, you know, she doesn't have a high school education, more likely she's going to somebody's house and clean up for them - cook or something else. And you have a certain picture in your mind of what the white person's are when he meets me because I'm a Negro, or the fact that he's white and he's smarter than I am, or - there are various phases - you could go on with this all day and all night, but I feel that most people, especially in the movement today, are trying to remove these stereotype ideas.

RPW: Has there been any change in the Negro's stereotype of himself - or between himself and the person he is?

BOY: I feel that there has been, because of the fact that more Negroes are now realizing that they have certain rights and they shouldn't be - they don't have to stand something like this.

That's where you'll find that a lot of Negroes move out of the South, because they - this stereotype is somewhat removed and they feel that they can uplift themselves by moving to the North. They can achieve better jobs - they can find better jobs - they can live in better neighborhoods - they will have more opportunities - and there has been a definite change in the Negro's stereotype of himself.

RPW: That's been a pretty dramatic change, from all accounts.

BOY: Yes.

(end of session)