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## Otto Karl Wiesenburg: A Racial Moderate Who Helped Crack the Walls of the Mississippi “Closed Society”

by Charles M. Dollar

For roughly two decades between the 1954 United States Supreme Court decision in *Brown v. Topeka Board of Education* and the closure of the Mississippi State Sovereignty Commission in 1974, many black Mississippians defied intimidation, threats of violence and death to secure justice in the courts, equality in education and job opportunities, and the right to vote. Numerous white Mississippians also believed black Mississippians should have these opportunities, but they remained silent because doing so could expose them to fierce disagreement with friends and family, coercion of the Citizens Council, intimidation of the Sovereignty Commission, and the violence of the Ku Klux Klan. Nevertheless, an exceptional minority of white Mississippians ignored these risks and engaged in public discourse about justice and equality for all Mississippians.

Some members of this minority, such as the Reverend Will D. Campbell, the Reverend Duncan Gray, Ira Harkey, Florence Mars, and Professor James Silver are well known. Others who played equally pivotal roles are less well-known and their legacy forgotten.<sup>1</sup> Karl Wiesenburg belongs to the latter group. A transplanted New Yorker who lived in Pascagoula, Wiesenburg became a successful lawyer, a state

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<sup>1</sup> The author is writing substantive biographical sketches of an exceptional minority of fifty-four white Mississippians, including Wiesenburg, who publicly espoused social justice, equal educational and employment opportunity, and equal voting rights for black Mississippians. In his 2010 dissertation Benjamin O. Sperry presents profiles of 127 white Mississippians he considered “moderates.” Many of them supported reapportionment of the state legislature, public education, industrial improvements, law and order, or reform of the Mississippi state constitution but opposed desegregation and encroachment of the federal government on state rights, especially pertaining to race relations. See Benjamin O. Sperry, “Caught Between Our Moral and Material Selves: Mississippi’s Elite White Moderates: And Their Role in Changing Race Relations, 1945-1956,” 591-619 (Department of History, Case Western Reserve University, 2010). Twenty-two of the 127 individuals referenced in the Sperry dissertation are included in the exceptional minority list identified by the author.

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legislator, and a fierce opponent of Governor Ross Barnett's handling of the events leading up to and following the enrollment of James Meredith at the University of Mississippi. Author of "The Price of Defiance," a fierce rebuttal based on a constitutional argument to Governor Barnett's "never, never" opposition to integration policy, Wiesenburg became a highly visible symbol of the willingness of a growing number of white Mississippians to challenge the "Closed Society" even though it entailed risks to them and their families.

The son of immigrants Adolph Otto Johann and Martha Mary (Horvath) Wiesenburg, Otto Karl Wiesenburg, was born in Rosedale, Long Island, New York on August 11, 1911. When Karl was five years old, the family moved to 205 East 66th Street in New York City.<sup>2</sup> He excelled at Public School 74, which was relatively easy for him because he read rapidly and had a photographic memory. As a youth he spent considerable time at the New York Public Library where he read voraciously. After taking some educational tests, he was admitted to Townsend Harris Hall, a prestigious school for bright boys.<sup>3</sup> His father died when Karl was sixteen, forcing him to drop out of Townsend Harris Hall to help support his mother. While caring for her, he continued his education by attending classes at the YMCA New York Evening School.

### **Coast Guard and Pascagoula, Mississippi (1929 - 1935)**

After his mother died in 1929, Wiesenburg was unsure what he wanted to do. Years later he recalled he had a wanderlust and after the stock market crash and onset of the Great Depression:

I passed by a coast guard recruiting station. The only thing that I was looking at said the border patrol. I was always wild about the woods and camping and nature, so I decided to get in the, (sic) border patrol, and ignorantly enlisted in the United States Coast Guard.<sup>4</sup>

He reported for duty on December 3, 1929, and was sent to New London, Connecticut, for basic training. One of the first things he had to do was pass a swimming test. Not knowing how to swim, he improvised by diving into the indoor pool and

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<sup>2</sup> H. T. Holmes, "An Interview with Karl Wiesenburg," 1, Mississippi Department of Archives and History (1976), Jackson, Mississippi.

<sup>3</sup> Martha Reed (daughter of Wiesenburg) to Charles Dollar, email message, June 29, 2014.

<sup>4</sup> Holmes, "An Interview with Karl Wiesenburg," 1.

getting to the other end of the pool underwater without surfacing.<sup>5</sup>

After completing basic training, he was assigned to a Coast Guard icebreaker where he showed so much aptitude in the operations of the radio room that in June 1930 he was sent to the New London Radio School for training. In February 1931, he graduated as a Third Class Petty Officer Radio Operator and was assigned to the U. S. patrol boat Dexter at the Coast Guard base in Pascagoula, Mississippi. The mission of Dexter was to intercept boats transporting liquor illegally into the United States.

After joining the crew of the Dexter, Wiesenburg began a routine of one week at sea and one week in port. Since his twelve-hour shifts afforded considerable down time, he continued his voracious reading. During his time in port, rather than staying on base, he rented a room from a local resident. In off duty hours he explored Pascagoula, which with a population of about 3,000 and leisurely pace he found attractive. Talking with residents about the future of the town, he began to think the city's development as a port would create jobs and new economic opportunities, and he wanted to be part of this future. Recognizing that a Third Class Petty Officer radio operator, especially one from New York City, would have little influence with the Pascagoula power structure, he decided to become a lawyer, believing this profession would provide a path to his helping shape the future of Pascagoula.<sup>6</sup>

Guided by this vision, he began studying law during his free time, using the twelve- volume Lassalle self-study law course. His rapid reading and photographic memory enabled him to immerse himself in learning law.<sup>7</sup> Fortunately, he met Dennis A. Maxtel, who also wanted to become a lawyer but had failed the bar exam. Wiesenburg and Maxtel decided to study together, asking one another questions from the back of a Lassalle law study volume and then comparing their answers with the appropriate text. Because of Wiesenburg's ability to recall verbatim sections of text when responding to study questions, they decided Wiesenburg should take the three-day bar exam so he could memorize the questions which he and Maxtel would study later. There was a major problem with this strategy: Wiesenburg was not a high-school graduate, which was a prerequisite for taking the exam. Undeterred, he submitted an application, and a request came for him to appear in Jackson for

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<sup>5</sup> Interview, Martha Reed, daughter of Wiesenburg, May 19, 2014, Pascagoula, MS.

<sup>6</sup> Karl Wiesenburg, "Sailor, Soldier, and Veteran, December 7, 1941-July 1, 1949," 8, Unpublished and undated memoir of Karl Wiesenburg in possession of the author, courtesy of Martha Reed.

<sup>7</sup> His daughter described a game that her father would play with her and her sister on Sunday mornings. He would read the Sunday newspaper and then have them ask him questions about content from any page. Invariably, he would provide an exact quote. Interview, Martha Reed, May 19, 2014.

an interview to determine his eligibility to take the exam. During the interview, Harold Cox, secretary of the Bar Examiners, grilled him extensively for two hours and told him that he was probably the most unqualified candidate who had ever applied. Cox added that the examination was based on questions prepared by Harvard University, covered twelve subjects over three days, and Wiesenburg did not have a chance in hell of passing the examination.<sup>8</sup> Yet Cox must have found something impressive in Wiesenburg's demeanor because he also told him that if Wiesenburg really wanted to take the exam he would certify that he had the equivalent of a high school education.

Wiesenburg returned to Pascagoula where he and Maxtel continued their preparation. Several months later, he was notified to come to Jackson. After completion of the three-day exam, he thought he had done well in some subjects and poorly in others but, on balance, he believed he had failed. Nonetheless, upon his return to Pascagoula he wrote the questions and his responses for Maxtel to study. On March 23, 1933, while at sea he learned he had passed the bar exam. At the age of twenty-one, Wiesenburg could now practice law in Mississippi without the benefit of formal legal education or ever having been inside a lawyer's office or a court room.<sup>9</sup>

Although Wiesenburg had dated several girls, there was no romantic interest until he met Denise Higginbotham, who introduced him to locals and taught him to play tennis and bridge. They fell in love and early in 1934 they became engaged.<sup>10</sup> Shortly after the engagement announcement, he was transferred to Cambridge, Maryland, and then to Wilmington, North Carolina. This reassignment was a temporary separation for them because Wiesenburg intended to return to Pascagoula, Denise, and law after his enlistment expired in December. An avid fan of college football, he organized betting pools on games during the fall of 1934. Adept in setting up spread points, he managed to win almost \$500 from his shipmates. When his enlistment expired, he used some of his winnings to buy a new suit, his first eye-glasses, and a one-way train ticket to Pascagoula.<sup>11</sup>

### **A Mississippi Lawyer (1935-1942)**

Back in Pascagoula, Wiesenburg rented a room from an elderly lady and a small office for \$20 a month. For another \$25 he equipped the office with a desk, typewriter, and chair. He was now ready to practice law. For the first six months,

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<sup>8</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 12.

<sup>9</sup> Richard Rubin, "Oral History Interview with Karl Wiesenburg," 125 (1988). In possession of the author, courtesy of Martha Reed.

<sup>10</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 16.

<sup>11</sup> *Ibid.*, 22.

his only client was his landlady, who needed a deed of trust; his fee was \$6.50. He spent his time studying old court cases and attending sessions of court to observe the techniques and approaches of local lawyers.

Wiesenburg's first trial involved his defense of Hjalmar Nielsen, charged with murdering his wife Mabel Krebs Nielsen in nearby Mobile, Alabama, after returning from extended sea duty to discover she had married Patrick Doyle on the basis of a fraudulent divorce decree. The consensus of the Mobile legal community was that Nielsen would be found guilty and hanged. No seasoned lawyer in Mobile or Pascagoula was willing to take the case, but Wiesenburg and another neophyte attorney, Orville Brown, took it, largely to gain courtroom trial experience.<sup>12</sup> The two defense lawyers concluded the evidence against Nielsen was overwhelming, so they decided Nielsen should plead not guilty by reason of insanity. They agreed that Wiesenburg should lead the courtroom proceedings. After the testimony of expert witnesses on temporary insanity, Wiesenburg led Nielsen through a recitation of the mental and emotional hell he had experienced, reaching a climax as Nielsen described meeting his five-year-old daughter in a park where she asked, "Daddy, you are my daddy, aren't you? Mother is trying to get me to call Mr. Doyle Daddy."<sup>13</sup>

In the defense's closing argument, Brown stressed the mental influences that had been brought to bear on Nielsen, reminding the jury that if they "had any reasonable doubt as to whether Nielsen knew what he was doing at the time the shots were fired they should find him not guilty by reason of insanity." Wiesenburg's closing argument was brief. He reminded the jury that everywhere Nielsen had turned he had received injustice, not justice. He added, "I cannot believe that twelve intelligent men, representative of Mobile County are going to be party to the ultimate injustice in this case, that is to the taking of the life of Hjalmar Nielsen."<sup>14</sup>

The judge instructed the jury it could render a guilty verdict for first degree murder with a sentence of execution; a guilty verdict for first degree murder with a specified prison term to be served; or a guilty verdict for manslaughter with a jail sentence of one year. To the consternation and embarrassment of the city prosecutor and the Mobile community, the jury returned a verdict of guilty to manslaughter.

Even though this trial was the first in which Wiesenburg had participated, it marked the beginning of a successful law practice that eventually made him well-known within the legal community. The marks of a skilled courtroom lawyer were already evident. His "deep, distinctive and resonant voice" along with his ability to examine witnesses, to quote statutes, regulations, and the testimony of witnesses

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<sup>12</sup> *Ibid.*, 33.

<sup>13</sup> *Ibid.*, 51.

<sup>14</sup> *Ibid.*, 54-56.

from memory gave him a commanding presence in the court room.

After his spectacular success in the Nielsen trial, Wiesenburg returned to Pascagoula with the expectation that the case would jump start his law practice. This was not to be for he learned that he had offended virtually all of the influential people in Pascagoula and, as he put it, "I was ostracized, criticized, and crucified. I was advised to leave Pascagoula."<sup>15</sup> His law practice languished, and he and Denise decided to delay their marriage until some of the anger and resentment had dissipated and his law practice could support them.

As Pascagoula's economy gradually improved, Wiesenburg's law practice picked up. In 1938 Ingalls Shipyard opened in Pascagoula, and legal work for the shipyard provided him with a steadily growing income. Also, in 1938 he gained some public visibility and acceptance when he was appointed chairman of the Pascagoula Recreation Commission. A year later he and Denise were married. Wiesenburg continued to promote his vision of Pascagoula as a port for international trade and read widely about commercial shipping ports, visiting a number of them to learn firsthand about their operation. By 1941 he had a clear vision of what the creation and operation of a port at Pascagoula entailed, and he persuaded the Jackson County Supervisors to create the Pascagoula Port Commission. Wiesenburg was the first chairman of the commission, but the outbreak of World II put his plans for the port on hold.<sup>16</sup>

### **U.S. Army Signal Corps (1942-1946)**

On May 2, 1942, a group of Mississippi draftees and one volunteer reported for duty at Camp Shelby, Mississippi, for enlistment in the U.S. Army as privates. The volunteer was thirty-year-old Karl Wiesenburg.<sup>17</sup> His explanation for volunteering was that he thought he had leadership abilities the Army needed, he wanted Denise to be proud of him, and his thinking that his service would help him politically.<sup>18</sup> Earlier he had tried to rejoin the Coast Guard but had been rejected because of his poor vision. He thought that he might be able to finesse the Army tests and use his experience with the Coast Guard and his lifelong interest in electronics to

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<sup>15</sup> *Ibid.*, 63.

<sup>16</sup> Holmes, "An Interview with Karl Wiesenburg," 5.

<sup>17</sup> Wiesenburg volunteered for military service even though he was eligible for deferment (IV-A) because of his previous military duty in peace time. He convinced the Jackson County Draft Board that he should be classified as I-C, eligible for military service with an honorable discharge from previous military service. Classification Records for Mississippi, 10/16/1940 - 3/31/1947, 76, Records of the Selective Service System (1926-1971), RG 147 (National Archives and Records Administration – National Archives, St. Louis, MO).

<sup>18</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 72.

serve in the Army Signal Corps.<sup>19</sup>

Determined to be fully engaged in the war effort and not a paper pusher, Wiesenburg minimized his legal training and emphasized his Coast Guard service as a radio operator as he filled out forms and completed other paperwork, including tests. Based on his test results, he was ordered to report to Fort Monmouth, New Jersey, to prepare for enrollment in Officer Candidate School (OCS).<sup>20</sup> Although he had taken a physical at Camp Shelby, he was instructed to report for a second one. He knew that his uncorrected vision was not the mandatory 20/40 vision and that his corrected vision was not the mandatory 20/20. Suspecting this might be an issue, he decided to fake the vision test by memorizing line characters in the eye test chart and then memorizing the same test lines in reverse order. He read the lines of 20/40 vision and then read the lines of the 20/20 vision line but made sure to deliberately miss-read several characters of the 20/20 vision line. The doctor asked him to read the two lines in reverse order, which Wiesenburg did, while repeating the same mistakes in the 20/20 vision line test. The doctor kept mumbling to himself, "Remarkable." Finally he told Wiesenburg he knew from the prescription for his corrected vision that it was impossible for him to read either the 20/40 or the 20/20 line tests. Crestfallen, Karl thought he could not become an officer. To his surprise and delight, however, the doctor told Wiesenburg that he would certify him as having 20/20 corrected vision because he had never seen anyone who was so determined to go to Officer Candidate School that he memorized eye test charts backwards.<sup>21</sup>

Wiesenburg breezed through the military and academic classes, usually leading the rest of the OCS candidates in test scores each week. After completion of OCS, he was promoted to second lieutenant<sup>22</sup> and ordered to report to the 835th Signal Services Company at Camp Crowder in Joplin, Missouri. In February 1943, Wiesenburg's unit took a train to San Francisco where the men boarded a transport ship that eventually dropped them off in Bombay, India. Wiesenburg was assigned to Company B and stationed at headquarters in New Delhi, India, as the leader of a twenty-five enlisted man radio section.

Even though he had no training in cryptography, Wiesenburg also accepted an assignment as a cryptographic officer. The sergeant who managed the cryptographic room, where incoming messages were decoded and outgoing messages were encoded, resented Wiesenburg's intruding into what he considered his domain.

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<sup>19</sup> Bill Reed (Wiesenburg's son-in-law and law partner) to Charles Dollar, email message, June 13, 2014.

<sup>20</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 71.

<sup>21</sup> *Ibid.*, 73-74.

<sup>22</sup> 10-42, Roster of the United States Army Signal Corps Officer Candidate School. Available at [www.armysignalcorps/ocs.com/ww2/42-10.html](http://www.armysignalcorps/ocs.com/ww2/42-10.html).



However, Wiesenburg told the sergeant that he had five years of enlisted experience with the Coast Guard and that he knew that sergeants ran the army. He asked the sergeant to train him on encoding and decoding messages on any system used in the cryptographic room. By the time his training was completed the sergeant and other enlisted men were loyal supporters.<sup>23</sup> This loyalty was important when Wiesenburg learned the unit had the highest deficiency reports of all the "crypt units." He employed his skill at what he called "situational analysis" and determined that most of the deficiencies occurred because the sergeant had not taken the time to read regulations. He analyzed the regulations and rewrote instructions in language the sergeant could understand. Within a few weeks efficiency reports of the "crypt section" showed major improvement,<sup>24</sup> and Wiesenburg began to acquire a reputation as miracle worker.

His success in improving the efficiency reports led to another assignment. There were two message centers in New Delhi that duplicated operational programs, and Wiesenburg was asked to develop a plan to consolidate them. He prepared a report that was accepted and in November 1943 oversaw consolidation of the two centers.<sup>25</sup>

Even though Wiesenburg was in a combat zone, he was hundreds of miles from actual combat. He felt guilty about the comforts he enjoyed and began to think about requesting reassignment to an actual theater of war, but other events intervened to send him into a very dangerous zone in China where the Japanese Army was advancing. One of his duties was to decode top secret "Eyes Alone" messages and deliver them to their recipients. Soon he began receiving top-secret messages from the War Department in Washington for Lord Mountbatten, the commander of British troops in Burma and Supreme Allied Commander for South East Asia Command. The deputy to General Joe Stilwell, commander of U.S. troops in India and China who distrusted the British military, learned of these messages and ordered Wiesenburg to share them with General Stilwell. Wiesenburg declined to do this, citing the regulations that prohibited this. He next refused a direct order from the deputy, whose revenge was to arrange for Wiesenburg's immediate transfer to Kweilin, China, which was under Japanese attacks.<sup>26</sup>

Wiesenburg and a radio team of enlisted men set up a radio station in Kweilin

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<sup>23</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 91.

<sup>24</sup> In July 1943 the crypto section encoded/decoded about 40,000 messages a day. In September the number increased to 44,000. By March 1944 it encoded/decoded 86,000 messages a day. John Hawkins and Ward Hawkins, "835th Signal Service Battalion, 1942-1946" (1946), 30, Combined Arms Service Library Digital Library, available at <http://cgsc.cdmhost.com/cdm/ref/collection/p4013coll8/id/3518>.

<sup>25</sup> Wiesenburg, "Sailor, Soldier, and Veteran," 92-93. Also see Hawkins, "835th Signal Service Battalion, 1942-1946" (1946), 29-30.

<sup>26</sup> *Ibid.*, 110-114.

near the air base and began to support radio contact with headquarters in New Delhi. Japanese bombers hit the Kweilin air base at least once a day and often at night, forcing evacuation of the air base.<sup>27</sup> By August 1944 Japanese troops were on the verge of entering Kweilin, and Wiesenburg and his team were ordered to retreat to another Chinese city to set up the radio equipment. Japanese troops and air attacks were a constant threat as they retreated from one city to another, each time setting up radio equipment, until they reached Kunming.

In November 1944, Wiesenburg received orders transferring him from Kunming to Assam, India. Getting to Assam was a major challenge because it involved “flying over the hump” (Himalayan Mountains, the highest mountain range in the world) from India to China, and military air transportation had a long waiting list. He learned that civilian pilots flying under contract with the Chinese government sometimes would allow a passenger to sit in the co-pilot’s seat. Anxious to get out of the Chinese War Theater before someone decided that his orders were incorrect or that he was indispensable, Wiesenburg arranged to sit in the co-pilot’s seat on a civilian flight. He went to the airport around midnight to meet the pilot, who was drunk. The pilot got the plane airborne, and for the next three hours Wiesenburg had to keep him awake. Finally, the pilot saw the lights of the airfield and set the plane down in a very rough landing. As the pilot taxied the airplane to the tarmac, both engines stopped running; the plane was out of fuel.<sup>28</sup>

The colonel, who headed the unit to which Wiesenburg was now assigned in Assam, did not need a signal officer, but he did need a battalion adjutant. Learning that Wiesenburg was a lawyer, he assigned him the job.<sup>29</sup> After several months in this position, Wiesenburg had enough points to rotate back to the United States, and he was transferred to Camp Shelby, Mississippi. Back in the States, he boarded a train to Pascagoula, where he was reunited with Denise on May 3, 1945. After a short leave he was ordered to report for duty at Miami as the Trial Judge Advocate of the General Court. On February 1, 1946, he was discharged from the Army with the rank of captain, and he and Denise returned to Pascagoula.<sup>30</sup>

During Wiesenburg’s Coast Guard assignment he spent considerable time studying Pascagoula as a potential sea port but apparently did not take race relations into account. He was a struggling lawyer in Pascagoula in the 1930s and while he may have personally had questions about segregation, it was not an issue he publicly challenged. And, unlike contemporaries such as Frank E. Smith, Joe

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<sup>27</sup> Hawkins, 835th Signal Service Battalion, 1943-1946, 50.

<sup>28</sup> Wiesenburg, “Sailor, Soldier, and Veteran,” 179-181.

<sup>29</sup> *Ibid.*, 183.

<sup>30</sup> *Ibid.*, 217.

Wroten, Claude Ramsay, Will D. Campbell, and Ira Harkey, World War II was not a transformative experience for Wiesenburg. During his duty in India he noted the second-class citizenship rigid caste system, including “untouchables,” but did not draw any comparisons between the caste system and the second-class citizenship of blacks in Mississippi. Given his penchant for “situational analysis” and being able to see what others could not see, it is striking that during his military service he apparently asked no questions about race relations in the South and Mississippi. More than a decade would elapse before he would come to grips with segregation in Jackson County and the state of Mississippi.

### **A Lawyer and More in Pascagoula (1946-1955)**

When Wiesenburg returned to Pascagoula, he had three goals in mind: grow his law practice, become the city attorney of Pascagoula, and restart the development of the Port at Pascagoula. He quickly realized all three goals could be achieved by his becoming involved in Pascagoula Post No. 3373 of the Veterans of Foreign Wars. He set his sights on becoming post commander because he thought it could be a springboard “to advance my ambition to become a force in the civic and political affairs of the city, county, and state.”<sup>31</sup>

Some of his friends organized a successful campaign for his election as post commander. Once in office, he performed a “situational analysis” as he had done in his army service and systematically began rebuilding the post membership and program. Within a year he indicated to his friends his interest in being state commander. Again, his supporters did the arm twisting and persuasion of uncertain delegates at the state convention, and he was elected state commander by acclamation.<sup>32</sup>

As state commander he conducted another situational analysis and, after learning that many people considered the VFW an auxiliary of the American Legion, he decided to reorganize it from the ground up. He rewrote the VFW by-laws and breathed new life into it by prohibiting posts from meeting jointly with the American Legion or in buildings the American Legion controlled.<sup>33</sup> In addition, he invited the membership of local posts to join him in a campaign to have Mississippi follow the example of other states that had established a bonus program for veterans’ service in time of war, with a marginal increase for overseas service. This work gave Wiesenburg state-wide exposure, especially when he testified in support of the bonus before a legislative committee. Although the state legislature rejected the proposal,

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<sup>31</sup> Ibid.

<sup>32</sup> Ibid., 221-224

<sup>33</sup> Ibid., 227.

the campaign gave him tremendous visibility in Pascagoula and across the state.

Wiesenburg's tenure as post commander expired at the end of the VFW State Convention in April 1949. Several months previously he had learned the commanding officer of his Signal Service Battalion based in Assam, India, had recommended he receive the Bronze Star Medal for "MERITORIOUS ACHIEVEMENT IN GROUND OPERATIONS AGAINST THE ENEMY India-Burma-China Theater."<sup>34</sup> Wiesenburg's arranged for presentation of the medal at the VFW State Convention that ended his term as state commander. Many of his supporters thought he should continue his involvement in VFW affairs at a higher level, but he told one:

This phase of my work is done. It was my intention to move on to new and greener pastures. I intended to take an active part in city and county politics. I would become Pascagoula's City Attorney. I would make Pascagoula an industrial port.<sup>35</sup>

Wiesenburg continued his law practice and also served as the city attorney for Pascagoula in 1951 and again in 1954-1955. As a member of the Pascagoula Port Commission, he was a vigorous promoter of the development of an industrial port, believing it would be a major stimulus to economic growth in the area.

### **Mississippi State Legislator and the "The Oxford Disaster - Price of Defiance" (1956-1964)**

In 1955 the State Legislature passed private legislation authorizing the Pascagoula Port Commission to issue \$2,000,000 in bonds to fund dredging Bayou Cassotte (Pascagoula Bay), but it did not authorize acquiring land, securing additional funding, or managing port operations. While this private legislation was better than nothing, Wiesenburg concluded that city and county supervisors lacked the vision and will to move beyond this level. The only way to change this situation, he believed, was through legislation that would create a strong port commission. He therefore decided to become a candidate for the state legislature with creation of a strong port commission as his primary goal.<sup>36</sup>

Wiesenburg kicked off his campaign early in 1955 with a weekly radio program in which he informed voters exactly what he would do if elected. By the time of the primary election, he observed later, he had "kicked all the sacred cows," and the

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<sup>34</sup> Copy of the award certificate. In possession of the author, courtesy of Martha Reed.

<sup>35</sup> Wiesenburg, "Soldier, Sailor, and Veteran," 242.

<sup>36</sup> Gordon Henderson, "An Oral History Memoir of Karl Wiesenburg," 5-6 (1965), Millsaps College Archives, Jackson, Mississippi.

county board of supervisors and every elected official except one opposed him. He became identified as “anti-establishment.” In making speeches, he would emphasize he was not a politician but that his opponent was. He would then name someone in the audience who supported his opponent and say that if you asked him how he was going to vote he would tell you “Don’t vote for Wiesenburg.” Wiesenburg would then expound on reasons why this individual would not vote for him.<sup>37</sup> His approach worked. He was elected as state representative from Jackson County despite the opposition of the county political leadership.

The Mississippi House of Representatives that convened in Jackson on January 2, 1956, was under the control of Walter Sillers, the arch-conservative speaker of the house, generally considered to be the most powerful individual in the state. He exercised this power through a caucus system in which a handful of legislators made decisions about which proposed bills would be enacted and which defeated---all without public discussion. “The truth is,” Wiesenburg opined, “the real decisions in our legislature are made in the King Edward Hotel or in the Robert E. Lee. What takes place on the floor of the legislature is the formalization of agreements made elsewhere.”<sup>38</sup>

Wiesenburg’s independence and integrity simply did not allow him to be part of the caucus system, making him suspect in the eyes of many of his fellow legislators. He solidified this reputation by joining forty other legislators in opposing the re-election of Walter Sillers as speaker of the house. This resulted in his assignment to minor committees, such as Roads and Bridges, which seldom considered a bill. He never attended these committee meetings and spent most of his time “running a service for the members of the legislature . . . in writing their bills, drafting their bills, preparing their amendments, and things of that type.”<sup>39</sup> In 1956 he introduced the Jackson County Port Authority Act which would give the county broad powers to operate the port. With the strong backing of Ingalls Shipyards, the bill became law, thereby achieving Wiesenburg’s long-desired goal of enabling Pascagoula to operate a port authority. In 1958 the legislature also enacted the State Port Act, which he drafted. This act enabled Gulfport and other port cities to become state ports and provided additional funding for the Pascagoula Port Authority. Combined, these two statutes were a major stimulus to the economic growth of Jackson County largely through the creation of new jobs at Ingalls Shipyards, which expanded to meet shipbuilding requirements of the U. S. Navy.

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<sup>37</sup> Holmes, “An Interview with Karl Wiesenburg,” 8.

<sup>38</sup> Karl Wiesenburg, “Let’s Look At Our Legislature,” 7, (privately printed, Pascagoula, Mississippi, 1958). Copy in possession of the author, courtesy of Martha Reed.

<sup>39</sup> Henderson, “An Oral History Memoir of Karl Wiesenburg,” 21.

Having to be in Jackson for lengthy legislative sessions caused a significant drop in Wiesenburg's income from his law practice. When the legislature was in session, the modest stipend he received barely covered his living expenses in Jackson. Moreover, unlike many of his fellow legislators, he refused to allow lobbyists to buy meals for him. In fact, if he had dinner with a lobbyist he insisted on paying for both his meal and that of the lobbyist.<sup>40</sup> Consequently, he decided not to seek re-election, but Denise reminded him that during the 1955 campaign he had said that if elected he would be a candidate for re-election. Therefore in 1959 he agreed to seek re-election but without campaigning. To his amazement, in the Democratic primary, which, at that time, was tantamount to election, he defeated two other candidates and won re-election.

In 1955 Wiesenburg had praised Jackson County's "separate but equal" educational facilities and said that integration would upset the delicate balance between whites and blacks. Initially, he presented himself as a segregationist because this was the only way to get things done.<sup>41</sup> He introduced a bill that prohibited riots, explaining that it was directed against the NAACP when in fact a careful reading of the statute revealed it was directed against any riot. During his first term he got to know state representative Joe E. Wroten (Washington County), who believed segregation was morally wrong. Wiesenburg later recalled, "Joe would tell me that my policy of trying to portray myself as a segregationist was just morally and fundamentally wrong."<sup>42</sup> During his first term he also learned that Jackson County Schools were separate but very unequal and that public funds were not available to upgrade black schools to meet white school standards. After his re-election in 1959, he told Wroten, "You're right. I am not going to pretend I'm a sheep in wolf's clothing." Later, Wiesenburg noted that "From 1960 on every vote that I cast in the legislature, with one exception, was predicated on the basis of giving everybody an equal opportunity to get an education."<sup>43</sup>

With the inauguration of Ross Barnett as governor in January 1960, the mood and tone of the legislature reflected the Citizens Council's growing influence on the governor and his bellicose "Never, never, never" massive resistance to integration, token or otherwise. Legislators claimed there were communists on the University of Mississippi faculty; they passed resolutions praising Carlton Putnam's *Race and Reason* (1961), which claimed the biological inferiority of blacks required whites to protect their racial heritage by opposing any form of integration or equality; they

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<sup>40</sup> Rubin, "An Oral History Interview with Karl Wiesenburg," 69.

<sup>41</sup> *Ibid.*, 70.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*, 13, 70

lauded retired General Edwin Walker<sup>44</sup> for his support of Mississippi's stand for freedom and protection of state sovereignty.

Wiesenburg and Wroten opposed resolutions that praised defenders of segregation and legislation designed to thwart integration and otherwise denigrate the federal government. He opposed a bill that called for the Mississippi state flag to be flown as prominently as the United States flag because he was an American first and a Mississippian second.<sup>45</sup> They also opposed a bill intended to protect public officials found guilty of opposing integration by having the State pay their fines and other expenses. A few years later Wiesenburg opined that future readers "will wonder what sort of legislature was this that passed so much in stupid laws and legislation."<sup>46</sup>

In early January of 1961 William L. Higgs, a native white Mississippi attorney, filed suit in federal district court to enjoin the Mississippi Sovereignty Commission to cease monthly payments to the Citizens Council. The law that had created the Mississippi Sovereignty Commission included a provision allowing any member of the state legislature to inspect its books. Wiesenburg decided to examine the books because he believed the Sovereignty Commission was merely a front for the Citizens Council. After reviewing the commission's records, Wiesenburg issued a public letter to the state legislature showing the Sovereignty Commission had provided \$64,500 to the Citizens Council without documentation of how the funds would be used. He also noted that the commission had sent investigators into all of the state's eighty-two counties to collect information on individuals who were suspected of being sympathetic to civil rights for blacks.<sup>47</sup> A year later, Wiesenburg voted against a \$250,000 appropriation for the Mississippi Sovereignty Commission, declaring:

there was no accounting for money that went to the council now and that it has been used to aid and abet the unpledged elector ticket, engage in a political campaign and elect the candidate of their choice.<sup>48</sup>

In the spring of 1962 as litigation over James Meredith's admission to the University of Mississippi intensified, the legislature continued to adopt resolutions and pass acts, the sole purpose of which was to block integration at the university. Almost

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<sup>44</sup> Commander of the troops President Eisenhower sent to Little Rock in 1957 during the integration of Central High School.

<sup>45</sup> Richard Rubin, *A State in Agony* (History Honor Thesis, University of Pennsylvania, privately printed, 1988), 68.

<sup>46</sup> Holmes, "Oral History Interview with Karl Wiesenburg," 36.

<sup>47</sup> *Pascagoula Chronicle-Star*, April 21, 1961.

<sup>48</sup> Undated newspaper clipping in Mississippi Sovereignty Commission Records, SCR ID #7-0-5-64-1-1-2 (Mississippi Department of Archives and History, Jackson, Mississippi).

without exception Wroten and Wiesenburg voted “no” on these matters. His house colleagues and newspapers gave him the sobriquet “Red Light Wiesenburg” because “no” votes were cast by pushing a button that activated a red light. Wiesenburg facetiously described his collaboration with Wroten as “the telephone booth caucus” because it was so small all of the members could fit into a telephone booth.<sup>49</sup> Bill Minor, the Jackson correspondent for the New Orleans Times-Picayune, mentioned Wiesenburg’s statement in a news column, and their opponents in the legislature used “the telephone booth caucus” to deride Wiesenburg and Wroten’s efforts.

Wiesenburg also opposed a bill that would set aside a law requiring the publication of town legal proceedings in the local newspaper. The final version of the bill was restricted to Holmes County and would allow the town of Durant to publish its legal proceedings in Lexington. Hazel Brannon Smith, an unrelenting foe of Governor Barnett, owned the weekly Durant newspaper, and enactment of this bill would have significantly affected her newspaper’s advertising revenue. In a statement to the legislature Wiesenburg called for defeat of the bill, saying:

If the Legislature can enact laws to discriminate and encourage economic reprisal against one newspaper for its views or editorial policies your newspaper may very well be the next subject of legislative attack. The right of freedom of the press is equally as sacred as those other fundamental rights of which Americans are justly proud.<sup>50</sup>

Thanks to Wiesenburg’s efforts and those of other representatives, the senate bill eventually died on the house calendar. Despite the resistance of the legislature and Governor Barnett, on September 10, 1962, Supreme Court Justice Hugo Black issued an order calling for James Meredith’s immediate admission to the University of Mississippi. Three days later Governor Barnett delivered a state-wide television address in which he declared “no school in our state will be integrated while I am your Governor.”<sup>51</sup> Wiesenburg heard the speech while visiting with a constituent in Ocean Springs. Later in the day he responded to a telephone query from a reporter for the Gulfport Herald in which he asserted:

What the Governor is suggesting is not interposition, but nullification. I regard nullification as bordering on sedition and

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<sup>49</sup> Yasuhiro Katagiri, “An Oral History with Mr. Joseph E. Wroten,” 32, Mississippi Oral History Program, University of Southern Mississippi, Special Collections (1993).

<sup>50</sup> Memphis Press-Scimitar, April 30, 1962.

<sup>51</sup> Quoted in Charles W. Eagles, *The Price of Defiance, James Meredith and the Integration of Ole Miss* (Chapel Hill: University of North Carolina Press, 2009), 283.



treason. Every elected officer of the state of Mississippi has taken a solemn oath to support the Constitution of the United States as well as that of the state of Mississippi. Ours is a government of law and not of men.<sup>52</sup>

Five days later the governor opened a special session of the legislature that had been convened to address court-ordered legislative reapportionment with a rousing speech in which he repeated his “Never, never, never” defiance of federal power and asserted that he would do everything in his power, “. . . to uphold our customs and traditions.”<sup>53</sup> At the speech’s conclusion, Speaker Sillers introduced a resolution that praised the governor for his stand against “political aggression . . . designed to disrupt and destroy Southern institutions and way of living.” Wiesenburg joined Joe Wroten in voting against the resolution. The next day the two representatives voted “no” on a proposed constitutional amendment to give the governor authority over college admissions in the event the trustees of higher education could not make a decision about the pending enrollment of James Meredith. Wiesenburg and Wroten also voted “no” on a bill that prohibited the enrollment of any individual “who had been convicted of a criminal charge or who was facing pending criminal charges.” This bill was directed against James Meredith because Hinds County officials had arrested him and charged him with perjury on the grounds that the voter registration form he signed attested he had lived in Hinds County for at least a year when in fact he had not.<sup>54</sup>

Meredith was scheduled to enroll the next day so the legislature wanted to finalize this bill to ensure it was in place prior to his enrollment. A few minutes before the scheduled midnight adjournment, Wiesenburg called for reconsideration of the bill, which meant that under House rules the bill could not be considered until the next legislative session, at 2:00 p. m. the following day. His goal was to delay final action until after Meredith was enrolled. Claude Ramsay, president, Mississippi AFL/CIO, was in the House gallery viewing the proceedings and reported later:

all hell broke loose. They ganged around his desk, I thought they were going to drag him out of his chair and beat the hell out of

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<sup>52</sup> Quoted in Rubin, *A State of Agony*, 61.

<sup>53</sup> Quoted in Eagles, *The Price of Defiance*, 291.

<sup>54</sup> Meredith had explained the voter registration official told him not to worry about this because he was a veteran. Nevertheless, on September 20 he was arrested and after a ten minute hearing a Hinds County court found him guilty and sentenced him to one year in jail. Eagles, *The Price of Defiance*, 301-302.

him . . . He is sitting there just as nonchalantly as you please.”<sup>55</sup>

Three years later he described his opposition to the legislation to protect the Mississippi way of life as based on his belief:

The bills were poorly prepared, they were wrong in principle, they were wrong legally, they were wrong morally, they were wrong constitutionally.<sup>56</sup>

After Wiesenburg returned to Pascagoula, he and Denise attended a high school football game. At previous games he would hear numerous people say “Hi Karl.” At this game no one spoke to them, including people they had been friends with for years.<sup>57</sup> The vice-chairman of the Jackson County Democratic Executive Committee published a letter to the editor of the Jackson Clarion-Ledger in which he deplored Representative Wiesenburg’s opposition to the governor’s efforts to maintain a segregated educational system, writing that Wiesenburg had not represented his constituents’ will and asserting, “I know of no person who is not ashamed of this blight upon Jackson County.”<sup>58</sup> He concluded his letter, “May God forgive us this sin of electing such a person to represent us.” In contrast, William Melton, a teacher in Clinton, Mississippi, wrote Wiesenburg saying, “. . . I do feel some constraint on my public utterances, letters to papers, etc. I try, therefore, to at least let people like you know privately that there are some people in the state cheering them on.”<sup>59</sup>

The tragic Ole Miss riot on September 30 confirmed Wiesenburg’s earlier grim prediction that Governor Barnett’s actions to block James Meredith’s enrollment would result in anarchy, violence, and bloodshed. Six days after the riot, he joined Joe Wroten in opposing a House resolution calling for the federal government to remove Meredith from the university, withdraw U. S. marshals from the campus, and return federalized units of the Mississippi National Guard to the authority of the governor.<sup>60</sup> Less than a month later the Citizens Council issued a ten-page brochure, “Operation Ole Miss,” which placed all of the blame on federal officials and praised Governor Barnett’s actions. Shortly thereafter, the Mississippi Junior

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<sup>55</sup> Orley B. Caudill, “Oral History Interview with Claude Ramsay” (1981), 63. Mississippi Oral History Program, University of Southern Mississippi Special Collections and Archives, University of Southern Mississippi, Hattiesburg, Mississippi.

<sup>56</sup> Henderson, “Oral History Memoir of Karl Wiesenburg,” 38.

<sup>57</sup> Holmes, “An Interview with Karl Wiesenburg,” 26.

<sup>58</sup> Jackson Clarion-Ledger, October 4, 1962, quoted in Rubin, *A State of Agony*, 61.

<sup>59</sup> Melton to Wiesenburg, October 9, 1962, Wiesenburg Family Papers, Martha Reed, Pascagoula, Mississippi.

<sup>60</sup> Charles W. Eagles, “‘The Fight for Men’s Minds’: The Aftermath of the Ole Miss Riot of 1962,” *The Journal of Mississippi History* (Spring 2009), 23.

Chamber of Commerce published a twenty-five page brochure, "Oxford: A Warning for Americans," which absolved the governor of all blame and charged President John F. Kennedy and the Attorney General Robert Kennedy with full responsibility for the riot. The brochure asserted the president and attorney general had failed to allow the governor to obtain a legal ruling from the Supreme Court concerning the authority of Mississippi's sovereignty and right to enforce its own laws under the Tenth Amendment of the Constitution; had authorized 400 U. S. marshals to fire tear gas at students who were peaceably protesting James Meredith's enrollment; and had illegally federalized the Mississippi National Guard.<sup>61</sup>

Wiesenburg wrote a rebuttal to these allegations consisting of five short articles published in the editorial page of the *Pascagoula Chronicle* the week before Christmas and subsequently published them as a pamphlet under the title of "The Oxford Disaster - Price of Defiance." He described Governor Barnett as ignoring competent legal advisors that no further legal relief was possible and increasingly coming under the influence of the Citizens Council. ". . . [P]ressed by advisors who continued to cry 'never, never, never' he led his state down a path that inevitably led to riot, destruction and death."<sup>62</sup>

Wiesenburg refuted the governor's defenders' claim that Barnett's actions were lawful under the U. S. Constitution by citing numerous sections in the Mississippi State Constitution that require conformance to the U. S. Constitution:

- It expressly recognizes that the federal law is the paramount law of the land.
- It vests full management and control of the affairs of the University of Mississippi in the Board of Trustees for the Institutions of Higher Learning. This includes the question of the admission of students to the university.
- The governor of the state has no authority or control of the internal affairs of the University of Mississippi nor can he admit or deny admission of any student.
- It is the duty of the governor of the state to see that law and order is maintained in the state, and to suppress riots and insurrections.
- The governor cannot determine what the law is, or what laws should be obeyed, but he is under his oath of office to enforce the laws of the land as judicially determined by the courts of the land.
- Neither the state legislature nor the state courts can interfere with the enforcement of the final decrees of the federal courts of the United States.

<sup>61</sup> "Oxford: A Warning for Americans," (Jackson: Mississippi Junior Chamber of Commerce, 1962), 7, 9, 15.

<sup>62</sup> Karl Wiesenburg, "The Oxford Disaster: The Price of Defiance," 1 (Reprint of articles appearing in the *Pascagoula Chronicle*, December 17-21, 1962).

- The Mississippi Supreme Court has held that the interpretations of the Constitution of the United States by the Supreme Court of the United States are binding upon all officials and constitute the law of the land.

In his discussion of the governor's use of "interposition," which under the reserved powers of the Tenth Amendment asserts the right of a state to interpose sovereignty against "illegal federal action," Wiesenburg noted this legal premise had never been upheld in the United States and specifically that in 1960 the U. S. Supreme Court had rejected this argument. He rejected as without merit the allegation that the attorney general had precipitated the riot because he was unwilling to await completion of judicial proceedings because between May 31, 1961, and September 10, 1962, the Meredith case had been heard by the United States District Court, and three times by the United States Circuit Court of Appeals, and Judge Black's order to immediately admit James Meredith to the University of Mississippi "was issued with the full knowledge and concurrence of all the Justices of the Supreme Court." The Supreme Court is the constitutional court of last resort so how, he asked, "could there be any 'judicial processes beyond the final pronouncement of the Supreme Court of the United States?'"<sup>63</sup>

In his conclusion, Wiesenburg called for leaders to maintain law and order even when they disagree with court orders. He noted that citizens who advocated "law and order":

have been castigated by some newspapers whose columns are filled with vitriolic denunciation of the federal government.

The time has come for the many citizens who have been afraid to speak out on law and order to make themselves heard we must have law and order, we cannot continue to condone open defiance of our courts.<sup>64</sup>

Supporters of Governor Barnett vociferously objected to the pamphlet. For example, State Senator W. M. Jones of Brookhaven wrote:

There is no way for me to stop you from mailing such trash and filth to me, but I assure you that I consider your article, 'Price of Defiance,' as giving aid and comfort to the enemies of my native state. You can't make that statement, you are not a native Mississippian . . . Even a mongrel dog taken in by a friendly soul

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<sup>63</sup> Ibid., 8.

<sup>64</sup> Ibid., 12.

shows more appreciation than you have shown for a State who has taken you in.”<sup>65</sup>

Supporting letters for Wiesenburg came from several members of the state legislature, clergy, ordinary citizens, and attorneys, including William H. Mounger, president, Lamar Life Insurance Company,<sup>66</sup> and Twelfth District Chancery Judge Billy Neville.<sup>67</sup>

Wiesenburg’s support for law and order was not received well by the Jackson County Bar Association. Early in 1963 two young Jackson County attorneys (Robert Oswald and Merle Palmer) introduced a resolution at a meeting of the county bar association “calling for a return to law and order by the citizens of the state.” One of the two lawyers made a motion to approve the resolution and the other seconded it, but the motion failed because no other lawyer in attendance supported it.<sup>68</sup> James Ira Ford, a highly respected Pascagoula attorney explained his opposition, saying, “I am first a Mississippian, after that an American. I will support Mississippi.”<sup>69</sup>

In mid-October 1963, the Kennedy Administration was seeking a replacement for Jane Schutt, who had resigned as chair of the Mississippi Civil Rights Advisory Committee to the Civil Rights Commission, and Wiesenburg’s name was suggested. Lee White, special assistant counsel to the president, wrote to Assistant Attorney General Burke Marshall for his views. Marshall spoke very highly of Wiesenburg but said “no one associated with the Commission will ever have any credence in Mississippi.”<sup>70</sup> President Kennedy’s assassination put a temporary hold on any action, but by mid-December White moved forward on the nomination. On December 23, 1963, Peter Sussman, assistant staff director, U. S. Commission of Civil Rights, wrote to Wiesenburg and informed him of the Administration’s desire to nominate him as chair of the Mississippi Civil Rights Advisory Committee.<sup>71</sup> Wiesenburg declined the nomination, writing “the political situation in this state makes it impossible for any person of stature to serve on the Mississippi Civil Rights Advisory Committee.” He also vented his anger and frustration with the Kennedy Administration’s policy

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<sup>65</sup> Jones to Wiesenburg, March 18, 1963, Wiesenburg Family Papers.

<sup>66</sup> Mounger to Wiesenburg, February 8, 1963, Wiesenburg Family Papers.

<sup>67</sup> Neville to Wiesenburg, January 7, 1963, Wiesenburg Family Papers.

<sup>68</sup> Ira Harkey, *The Smell of Burning Crosses*, A White Integrationist Editor in Mississippi (Philadelphia, PA: Xlibris, 2006), 210. Robert Oswald to Charles Dollar, email message, June 24, 2015.

<sup>69</sup> Harkey, *The Smell of Burning Crosses*, 31.

<sup>70</sup> Marshall to White, November 18, 1963, Box 19, Civil Rights Commission 1963, JFK Library, Boston, MA.

<sup>71</sup> Sussman to Wiesenburg, December 23, 1963, Box 19, Civil Rights Commission 1963, JFK Library.

of placating Senator Eastland:

In Mississippi the national administration has consistently followed the policy of punishing their friends and rewarding their enemies. The offer of the present appointment is one of the few offers that has been made to a loyal democrat in this administration, and this offer is, of course, an invitation to commit social, political and economic suicide.<sup>72</sup>

#### **After “The Oxford Disaster - Price of Defiance” (1964 - 1990)**

As the political dust settled after publication of “The Oxford Disaster - Price of Defiance,” Wiesenburg had a less visible public role in state politics, but behind the scenes he and his friends continued their efforts. In January 1964 he and his old friend Claude Ramsay discussed the Sovereignty Commission’s funding of the Citizens Council. They concluded that litigation was not propitious at the time because the case would be heard by a Hinds County justice who was sympathetic to the Citizens Council. They decided to delay any action until they saw what the legislature did about funding. In the meantime Wiesenburg proposed they solicit several prominent lawyers throughout the state to join the case once they decided to go to court.<sup>73</sup> However, no further action was required once they learned of Attorney General Joe Patterson’s opposition to continued state funding of the Citizens Council Forum program. Later that year Wiesenburg worked with Claude Ramsay to prepare a legal challenge to the license renewal of the Jackson television station WLBT. In addition, in November 1963, he agreed to a request from Mississippians for Public Education for a meeting to discuss the status of public education in Mississippi and dissemination of more copies of “The Oxford Disaster - Price of Defiance.” He authorized distribution of the pamphlet, and supporters found funds to pay the printing costs.

In 1967, an interviewer asked Wiesenburg what impact he thought the Voting Rights Act of 1965 would have on state politics.

I think the Voting Rights Act of 1965 is going to have a tremendous impact on the state of Mississippi . . . The threat of Negro registration and Negro voting is going to have a profound effect on Mississippi politics. You’re not going to see near as many of these

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<sup>72</sup> Wiesenburg to Sussman, December 27, 1963, “Commission on Civil Rights,” Box 3, Office Files of Lee C. White, LBJ Library, Austin, TX.

<sup>73</sup> Ramsay to Lawrence Rabb, Wiesenburg Family Papers, January 7, 1964.

Negro-baiting speeches and this old business of striding up to the podium and getting your name on the front page of the papers by yelling “nigger” and denouncing everybody you can think of that might sound like a moderate. I think that day is going to disappear in Mississippi, and perhaps in the next generation you may even have genuine participation by Negroes in the political life of Mississippi, but I don’t expect that during my own time.<sup>74</sup>

Wiesenburg remained active in local politics in Pascagoula. He stood for election in 1973 as a city commissioner and received the highest number of votes among twenty-six candidates. He became involved in a movement to replace the city commission governance structure with a mayor and city council structure in which council members represented wards. By 1975, Pascagoula had a city council structure, and Wiesenburg chose not to be a candidate for reelection. For several years he was the attorney for the Pascagoula School System and in 1969 led an effort to integrate the school system that occurred without any incidents. He also concentrated on building up his law practice, becoming a “go-to” lawyer for Ingalls Shipyard, handling labor relations and advising on the non-discriminatory requirements of equal employment<sup>75</sup> mandated by the Civil Rights Act of 1964. In addition, he served as the attorney for the Jackson County Port Authority, the Jackson County Planning Commission, and the Jackson County Board of Supervisors.

In January 1956 when Wiesenburg was sworn in as the Jackson County representative in the Mississippi House of Representatives, he was a self-made lawyer with considerable ability and intelligence but with a local reputation of being a maverick and having a single goal, establishment of a Jackson County Port Authority that would make Pascagoula a sea port. Within two years he had secured passage of a statute that achieved this goal and put the citizens of Jackson County, black and white, on a path to substantial economic improvement. He then joined Representative Joe Wroten and other like-minded white Mississippians in working to break down the walls of the “Closed Society.”

Half a century later, few Mississippians appreciate his contribution to establishing seaports on the Mississippi Coast. Nor do they know about his courageous

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<sup>74</sup> Henderson, “Oral History Memoir of Karl Wiesenburg,” 46.

<sup>75</sup> Email from Bill Reed (Wiesenburg’s partner beginning in 1976), June 24, 2014. As Ingalls’ lawyer, Wiesenburg was heavily involved in both litigation under the Civil Rights Act of 1964 and dealing with the EEOC and other agencies to keep Ingalls out of legal trouble. See undated (1969) Clarion-Ledger newspaper clipping that describes how Ingalls Shipyard was complying with the Department of Defense requirement for non-discrimination employment.

and articulate opposition to the Mississippi State Sovereignty Commission, the Ku Klux Klan, the Citizens Council, and Governor Ross Barnett's efforts to maintain the Mississippi way of life in which white supremacy and second-class citizenship for blacks had to be protected at all costs. This course of action was not an easy path for Wiesenburg. On one occasion he remarked that he personally was "lax on the principle of segregation" but recognized that getting things done politically during his first term as a state legislator required popular association with segregation. After he learned in 1959 that white and black schools in Jackson County were very unequal, largely because whites controlled the school budgeting process, he became a champion of integrated schools. By 1960 his House colleague, Joe Wroten, of Greenville, Mississippi, had convinced him that segregation not only resulted in inferior black schools but that it was also morally wrong.

Wiesenburg joined other white Mississippi racial moderates including P. D. East, Ira Harkey, Florence Mars, Claude Ramsay, Frank Smith, Hazel Brannon Smith, William Winter, and Joe Wroten, each of whom marched to a different drummer than most white Mississippians. Wiesenburg's drummer called for national allegiance to the United States of America as a citizen and allegiance to Mississippi through residence<sup>76</sup> except when it conflicted with his national allegiance. For Wiesenburg this allegiance was manifested in a sense of nationhood enshrined in the Constitution and the Bill of Rights, so he viewed many of the activities of the Citizens Council and legislative initiatives of the Barnett Administration as trampling on the constitutional rights of all citizens of Mississippi. Another factor that contributed to his emergence as a racial moderate was his abhorrence of extremism because it usually led to violence. This conviction on his part is one reason why he was a strong proponent of law and order. Wiesenburg also viewed the Ku Klux Klan as dangerously extremist and considered members of the Citizens Council as educated Klansmen:

who instead of advocating open violence and going around with hoods [went about and talking] such things as states' rights, interposition, nullification and other things, which in my opinion were synonymous with sedition . . . when you got underneath them that had the same mentality as the Ku Klux Klan.<sup>77</sup>

As the firestorm of opposition to equal justice, equal educational opportunities, and equal political rights for all Mississippians burned out in the late 1960s and

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<sup>76</sup> Wiesenburg liked to characterize himself as being an American by allegiance to the United States of America and Mississippian by residence.

<sup>77</sup> Rubin, "An Oral History Interview with Karl Wiesenburg," 24.



1970s, Wiesenburg withdrew from active participation in politics and increased his engagement with Ingalls Shipyard and other organizations to ensure they complied with the 1964 Civil Rights Act requirement for Equal Employment Opportunity.

Wiesenburg died of a pulmonary embolism on June 19, 1990, at the age of seventy-nine. He could not have planned his death better: he died with key in hand after getting into his car to drive to his office. Years earlier Bill Reed, a son-in-law and law partner, noted his father-in-law acknowledged that during his two terms as a state legislator he made important contributions to civil rights in Mississippi. However, he believed his most important contribution to justice and equality for all citizens in Jackson County was his promotion of economic growth through the Pascagoula Port Authority, which created job opportunities that enabled blacks to break out of poverty and second-class citizenship.<sup>78</sup> At that time, Ingalls was the largest single private employer in Mississippi, so these opportunities were not limited to Jackson County.

Perhaps the most fitting tribute to his life, and one he would have especially cherished, came from the Jackson County Bar Association several months after his death.<sup>79</sup>

WHEREAS, Karl Wiesenburg's life as a lawyer set an example of honesty, integrity, fidelity, and dedication which is unexcelled in Mississippi and which influenced many younger men and women towards the path of excellence; and, WHEREAS, Karl willingly assisted young lawyers who sought his counsel to understand a complicated point of law, a baffling rule of procedure, or to interpret a complex contract; and, WHEREAS, his life as a citizen of Jackson County was that of a leader who promoted the public good, although often at great personal cost to himself; and, WHEREAS, he was without peer as a man of vision, blessed with the talent to turn vision into the realities we see throughout Jackson County in libraries, schools, community college, public, port and industrial facilities, and jobs; NOW, THEREFORE, BE IT RESOLVED that the Jackson County Bar Association hereby memorializes Karl Wiesenburg whose life made such a magnificent difference for the people of Jackson County.

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<sup>78</sup> Bill Reed to Charles Dollar, email, June 24, 2014.

<sup>79</sup> Copy in possession of the author, courtesy of Bill Reed.