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Leon Jaworski

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It was ironic that Greensboro was the site for such a watershed in race relations. The home of five colleges, Greensboro had long enjoyed a reputation for moderation on the racial issue. City leaders had early announced that they would comply with the school desegregation requirements of *Brown*. Blacks, nonetheless, shared a sense of continuous frustration in achieving equal rights. Only minimal school integration had occurred by 1960 and other institutions remained racially separate.

This spontaneous action by Greensboro students provided a catalyst for a decade of direct, active protests. The Greensboro sit-ins altered the nature of the civil rights movement in two important respects. First, the sit-ins suggested new and more dynamic methods by which protests could be expressed. Shortly thereafter the Freedom Rides began to challenge racial segregation in bus facilities. No longer were blacks content to await the often slow and elusive results of court decrees. Second, blacks were no longer willing to permit moderate whites to define civil rights objectives. Blacks were increasingly willing to jeopardize the goodwill of white moderates and liberals in order to follow their own agendas for social reform, which would culminate in the black-power demands of the late 1960s.

James W. Ely, Jr.
Vanderbilt University

William H. Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (1980); Miles Wolff, *Lunch at the Five and Ten: The Greensboro Sit-Ins* (1970).

Herndon, Angelo, Case

The most famous civil liberties and civil rights case in Georgia during the 1930s centered around Angelo Herndon, a young black Communist. A native of Ohio, Herndon moved to the Deep South in the early Depression years in search of work and traded his fundamentalist Christianity for communism in 1930 while living in Birmingham, Ala. Assigned by the Communist party to Atlanta, the 19-year-old Herndon organized a large interracial demonstration in June 1932, protesting the suspension of public relief. As a result, Atlanta police eventually arrested Herndon and charged him with attempting "to incite insurrection" against the state of Georgia, a capital offense. In his January 1933 trial, Herndon was represented by black attorneys Benjamin J. Davis, Jr., and John Geer, who boldly challenged the exclusion of blacks from local juries, while the prosecuting attorneys responded with an emotional condemnation of communism. An all-white jury quickly found Herndon guilty and sentenced him to 18 to 20 years in prison.

The seeming injustice of Herndon's conviction helped stimulate greater solidarity among Atlanta blacks and prompted a somewhat more assertive stance toward racial discrimination. Through vigorous publicity efforts

the International Labor Defense, a Communist-influenced legal defense organization, eventually turned the affair into a national cause célèbre. A team of prominent attorneys headed by Whitney North Seymour of New York City twice appealed the conviction to the U.S. Supreme Court, which in *Herndon v. Lowry* (1937) declared the Georgia insurrection law to be unconstitutional. After his release from prison, Herndon moved to New York City, where he remained active in radical causes and later helped to edit a literary magazine. Toward the end of World War II he left the Communist party and eventually moved to Chicago, where he pursued a career in business.

Along with the more famous Scottsboro case in Alabama, the Angelo Herndon case symbolized the use of political justice to maintain racial subordination in the Deep South. Unlike Scottsboro, however, Herndon's prosecution under the insurrection law also raised a serious challenge to free speech and helped rally many civil libertarians to his cause. Although the Supreme Court eventually freed Herndon after nearly five years of proceedings, dramatic improvement in the status of blacks within the southern legal system had to await the advent of the civil rights movement in the mid-1950s.

Charles H. Martin
University of Texas at El Paso

Angelo Herndon, *Let Me Live* (1937); Charles H. Martin, *The Angelo Herndon Case and Southern Justice* (1976).

Jaworski, Leon

(1905-1982) Lawyer.

Jaworski, who became nationally recognized as the special prosecutor of the Watergate affair, was born in Waco, Tex., on 19 September 1905. He was the son of the Reverend Joseph Jaworski, a Protestant minister of Polish birth, and Marie Jaworski, who was born in Vienna.

After deciding to devote his life to a career as a trial lawyer, Jaworski attended law school at Baylor University, receiving his LL.B. in 1925; he then spent a year at the George Washington University School of Law and was granted the LL.M. in 1926. Returning to Waco to begin practice as a trial attorney, he was immediately successful, and he soon moved to Houston. His reputation spread rapidly, and in 1931, at age 26, he was asked to join one of the leading firms in that city, Fulbright, Crooker and Freeman. He remained with this firm, becoming a senior partner in 1951. Fulbright and Jaworski became one of the largest and best-respected firms in Texas.

During World War II, Jaworski served in the Judge Advocate General's Corps, attaining the rank of colonel. He conducted the prosecution of Nazi prisoners of war in this country and then became the chief of the United States War Crimes Trial Section in the European Theatre in our zone of occupation, with headquarters at Wies-

baden. He personally prosecuted the first war crimes trials in Germany. In 1946 he returned to his law practice in Houston. His reputation continued to grow, and he became increasingly involved in civic and social affairs. He was president of the American College of Trial Lawyers in 1961, president of the State Bar of Texas the next year, and president of the American Bar Association in 1971. He received numerous awards, including 15 honorary degrees, and was an elder in the Presbyterian church.

Jaworski's significant accomplishment was the successful prosecution of the Watergate crimes. He served as director of the special prosecution team in 1973 and 1974; his expertise as a trial lawyer and his professional, dispassionate conduct exposed the burglary and obstruction of justice by President Nixon and his close associates. Jaworski died 9 December 1982 in Wimberley, Tex. His four books of memoirs are *After Fifteen Years* (1961), *The Right and the Power: The Prosecution of Watergate* (1976), *Confession and Avoidance: A Memoir* (1979) [with M. Herskowitz], and *Crossroads* (1981) [with D. Schneider].

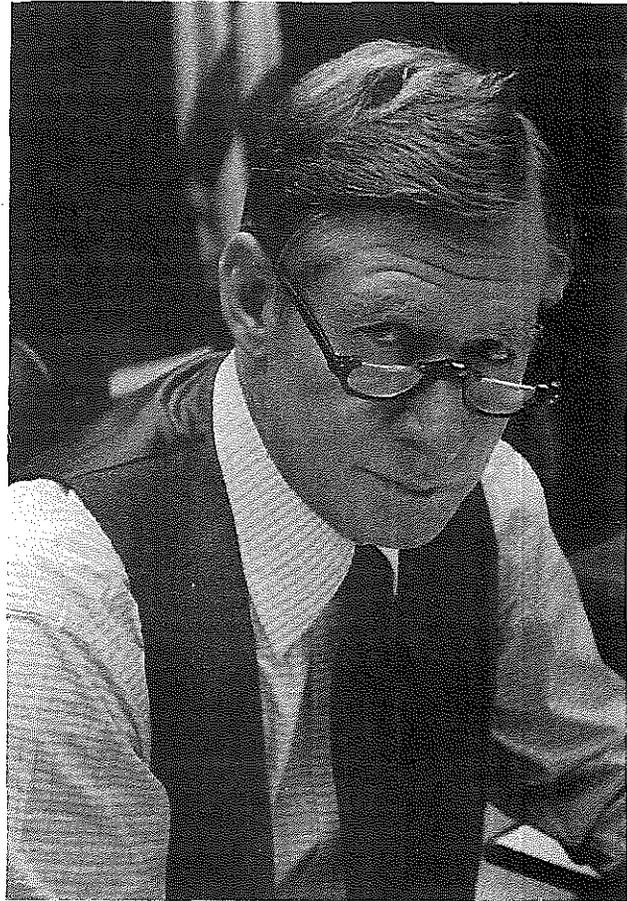
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James Doyle, *Not above the Law: The Battles of Watergate Prosecutors Cox and Jaworski* (1977).

Johnson, Frank M., Jr.
(b. 1918) Federal judge.

Frank Minis Johnson, Jr., was born on 30 October 1918 in rural Winston County, Ala. During the Civil War, Winston and other northwest Alabama hill counties with few slaves had little sympathy for the Confederate cause. After the war, Winston became a lone Republican stronghold in Democratic Alabama. Frank Johnson's father was active in GOP politics and was elected probate judge and a member of the Alabama Legislature on the Republican ticket. Following law school at the University of Alabama and military service in Europe during World War II, Frank Johnson, Jr., practiced law in Jasper, Ala., and, like his father, also became active in GOP politics. His services on behalf of Dwight Eisenhower's 1952 presidential campaign led to his appointment, in 1953, as U.S. attorney in Birmingham. In 1955 Eisenhower appointed him to the U.S. District Court for the Middle District of Alabama in Montgomery, where he served until his appointment to a federal appeals court in 1979.

While a U.S. attorney, Johnson successfully prosecuted members of a prominent Sumter County plantation family on peonage and slavery charges, though such convictions had been rare since Reconstruction. As a district judge, he quickly gained a reputation as a vigorous defender of civil rights. During his first year on the federal bench, he helped to form a majority outlawing segregation on Montgomery's city buses. In the years that followed he issued numerous decisions on voting rights and



Frank M. Johnson, Jr., U.S. circuit judge, 1980s

became the first judge to order the names of qualified blacks added to county voting rolls. He also outlawed discrimination in Alabama's transportation facilities, libraries, agricultural extension service, and political parties; wrote the first statewide school segregation decree; and placed numerous state agencies under permanent federal court order.

Judge Johnson's opinions on civil rights perplexed and angered his fellow white Alabamians, making him a convenient scapegoat for George C. Wallace and other race-baiting politicians. During his 1962 gubernatorial campaign, Wallace—Johnson's law school classmate and an associate of more than passing acquaintance—condemned "lying, scalawagging" federal judges, with Johnson his principal target. Court baiting remained a familiar Wallace tactic for years after the 1962 election, and on at least one occasion, a Wallace aide urged Alabamians to ostracize federal judges, their wives, and children. Judge Johnson had become a pariah in his native state, however, even before the Wallace era in Alabama politics. Intermittently for 18 years, a dusk-to-dawn guard maintained a vigil at his home. His mother's home was bombed, crosses were burned on his lawn, and hate mail was directed to him. In 1975 his adopted son committed suicide. His son's emotional problems, some suggested, had their origins partly in the pressures to which his family had been subjected.