CHAPTER

5

Mississippi Burning

Freedom Summer 1964

While the Johnson administration's civil rights bill moved through Congress and into the federal statute books during the summer of 1964, the FBI was wrestling with the civil rights movement in Mississippi. The battleground was not the choice of J. Edgar Hoover and his Bureau or Martin Luther King and the Southern Christian Leadership Conference, but of Robert Moses and the Student Nonviolent Coordinating Committee. Earlier, when returning to Mississippi after the March on Washington, SNCC activists mobilized the Council of Federated Organizations (COFO), a nearly dormant umbrella organization of racial-advancement groups estabished in 1961 to assist the jailed Freedom Riders in Jackson, and organized a Freedom Vote Campaign. Assisted by CORE's David Dennis, Moses served as program director. Aaron Henry, the respected Clarksville druggist and head of the state NAACP, was named president. Volunteers from all the major civil rights groups participated, but COFO was primarily a SNCC operation, and Moses as one civil rights worker noted, was "more or less the Jesus of the whole project."

Hoover's FBI watched events in Mississippi closely as the Freedom Vote Campaign in the fall of 1963 led to Freedom Summer in 1964. In November nearly 80,000 disenfranchised Mississippi blacks participated in a mock election, casting ballots for Aaron Henry for governor and Rev. Edwin King, the white chaplain of Tougaloo College, for lieutenant governor. A week later

in Greenville, forty- five COFO representatives (forty from SNCC and five from CORE) organized a massive voter registration drive for the summer months and invited white college students from the North to participate. Such an effort, Moses and Dennis reasoned, would incite unprecedented segregationist violence and thus force the federal government to protect the lives of civil rights workers and the voting rights of Mississippi's 916,000 blacks.

Allard Lowenstein, a thirty-four-year-old activist in the National Student Association who taught at the University of North Carolina, had recruited nearly a hundred college students, mostly from Yale and Stanford, to help with the earlier Freedom Vote Campaign; and the FBI director had seemed to demonstrate a token interest in their safety. When a handful of Yale students had visited the SNCC office in Hattiesburg, Lawrence Guyot recalled, "it was really a problem to count the number of FBI agents who were there to protect the students. It was just that gross." It seemed the Bureau might guard northern college students in Mississippi once again during Freedom Summer. "While these people are here national attention is here," Stokely Carmichael promised. "The FBI isn't going to let anything happen to them." If Carmichael believed the first part of that prediction, it is doubtful that he or any other civil rights worker in Mississippi believed the second. "It simply made good copy," Robert Moses admitted. Hoover may have understood power, but everyone understood the director's lack of sympathy for student activists ("young punks") of any color.[1]

No one expected white Mississippi to respond to Freedom Summer peacefully, and no one expected Hoover's FBI to do much about it unless forced to. "The question," as Moses remembered, "was this: Were we gonna be able to force the rest of the country to take a look at Mississippi. The white students brought the rest of the country down with them for a look and we knew Mississippi couldn't stand a hard look." "We all understood that whites could be used as a force," Marion Barry, SNCC's first chairman, said. "Whenever you had blacks who were killed who cared about that? They die everyday. Blacks were jailed by the hundreds, who cared? When you've got a Congressman's son or you've got some white professor's son or you've got some white students who are jailed or killed, then the whole focus comes. You know, 'Boom.' " A few COFO people even

considered how the death of a student volunteer might benefit the movement.[2]

Hoover actually expected more trouble during the summer of 1964 from Dr. King's Alabama Project. Robert Moses and his coworkers knew better, and they prepared for a violent confrontation with the white resistance. On June 15 the first three hundred Summer Project volunteers gathered in Oxford, Ohio, for a week-long training session. They listened to the administration's representative, John Doar, lecture on civil rights law, and they heard him say the government would do "nothing" to provide protection. "There is no federal police force." They listened to Moses's prediction of guerilla war "not much different from that in Vietnam," and they heard him outline COFO's modest goals: to go, to register black voters, to "come back alive." One of the students, Stephen M. Bingham, remembered being "told that people *would* not return, not that they *might* not return." Moses also told the volunteers about the attempt to arrange a meeting with Lyndon Johnson. "His secretary said that Vietnam was popping up all over his calendar and he hadn't time to talk to us." White House special counsel Lee White found it "nearly incredible that these people who are voluntarily sticking their head [sic] into the lion's mouth would ask for somebody to come down and shoot the lion." In one way, the administration view paralleled the FBI view. The COFO activists were a nuisance, with their unreasonable demands for protection and a federal war on the Klan.[3]

While Hoover and Johnson hesitated, white Mississippi made time for the summer volunteers. Expecting an "invasion" of "mixers" and "outside agitators," the city of Jackson doubled the size of its police force, modified its garbage-truck fleet to double as paddy wagons, and bought what Guyot called "a damn armored truck—satirically referred to as [Mayor] Thompson's tank." The two hundred troopers added to the Highway Patrol helped intercept the SNCC activists who had begun to trickle into Mississippi by late spring, seizing their property and sometimes leaking such things as address books and copies of Communist party historian Herbert Aptheker's study of slave revolts to the press and the FBI. Sam Bowers, Jr., founder and imperial wizard of the White Knights of the Ku Klux Klan, developed the most explicit strategy for dealing with "COFO's nigger-communist invasion." "Catch them outside the law," he ad-

vised his fellows, according to an FBI informant report, "then under Mississippi law you have a right to kill them."[4]

According to the FBI's uniform crime reports, however, Mississippi was a picture of tranquillity. The state had the lowest crime rate in the nation. But for blacks it was, as Moses said, "the middle of the iceberg." The state had a seige mentality. Automobile bumper stickers advised motorists to "Drive Carefully: You Are Now In Occupied Mississippi," while the Citizens Council listed the FBI as subversive—along with the Elks, the Red Cross, the YMCA, and even the United States Air Force. In a few counties it was actually a status symbol among segregationists to have been under investigation by the FBI.[5] John Doar said Mississippi "didn't have to intimidate via violence," at least "until December of 1963," when COFO began to organize Freedom Summer, "because the legal structure was impervious. That was the Maginot line." When it "began to crack . . . Mississippi turned to violence." And that was the precise time, "as the curve started up," that "Bob Moses and his guys decided the way to confront that curve was to bring a lot of white kids down and get some white kids hurt and the country would be up in arms."[6]

COFO activists from SNCC and CORE called the voter registration drive Freedom Summer, but it was really the summer of the Ku Klux Klan. By the FBI's conservative count, "SNCC and its supporters endured at least 1,000 arrests, 35 shooting incidents, eight beatings, and six murders."[7] With the Bureau continuing to speak the language of federalism, and responsible officials in the Justice Department and the White House continuing to do the same whenever the protection issue forced itself upon them, the Klan rode strong in Mississippi during the summer of 1964. The people on the front line registering black voters wanted to know which side the federal government was on. By the time Freedom Summer ended, the movement had an answer to their question, and a few thought they saw blood on the FBI's hands. The director investigated the Klan and the horrors committed by its members during that summer, but his performance reflected his belief that those who challenged white rule had committed a crime worse than murder.

While the movement and the resistance prepared for Freedom Summer, Robert Kennedy and Burke Marshall pressed the FBI to expand its coverage of Ku Klux Klan violence. They tried to convince the Bureau "to come down and shoot the lion." On one night, April 21, Klansmen burned sixty-one crosses in southwest

Mississippi. Between April 1 and July 1, they firebombed three black homes and a barbershop in Pike County. In Adams County, they chased and shot at two civil rights workers, and killed two local blacks. In Madison County, they bombed the Freedom House and a church. In the rest of Mississippi, they damaged or destroyed at least seven churches and bombed or shot up eight homes. The FBI submitted memos to the Civil Rights Division on every incident, but did not appear to be interested, as Marshall complained, in taking the necessary steps to combat "terrorism in Mississippi."[8]

Kennedy and Marshall hoped to pressure the FBI into launching a counterterrorism program. First, the attorney general dispatched ex-FBI and National Security Agency man Walter Sheridan, along with six or seven members of his "Terrible Twenty" (the "get Hoffa squad"), a crack team of Criminal Division investigators, "to get something on the Klan." "We were sent," Sheridan recalled, "because the Bureau wasn't doing anything. There were twenty FBI guys in the state . . . but they weren't doing anything unless they had to. Talk to John Doar. He would do whatever was done. The Bureau would say it didn't have jurisdiction." Marshall and Kennedy understood Hoover's territorial instincts. When Sheridan's squad arrived in Jackson, the director began sending memos to Marshall about "a man in Mississippi named Walter Sheridan who claims to be doing investigative work for the Department of Justice. This is to inform you that he is not a member of the FBI." The director also dispatched an agent to read the riot act to Doar: "Either the Bureau is going to be *the* investigative agency of the Department or it's not. Either it's going to do all of it or none of it." The irony is that Hoover wanted no other federal investigators in Mississippi, but neither did he want to do the civil rights work that the Department demanded. Caught between his bureaucratic interests and his personal and political preferences, for the time being, as Marshall remembered, the director "sealed off the Bureau from the Civil Rights Division," throwing up a wall of institutional resistance.[9]

Anticipating Hoover's reaction, Kennedy and Marshall next launched a Pennsylvania Avenue end run. Marshall drafted a memo to President Johnson in which he tried "to avoid . . . any appearance of criticism. . . . The problem is not one that can be cured by reprimands to particular agents on particular incidents, even if the Bureau could be persuaded that the agents did

not perform their investigative function well." Hoover had to be stroked, not criticized. Above all, the director should not be told how to do things in Mississippi once the commitment had been made, Marshall wrote. "The problem is rather to describe what is happening in such a way as to permit the Bureau to develop its own new procedures for the collection of intelligence." When investigating "fundamentally lawless activities" in Mississippi "which have the sanction of local law enforcement agencies, political officials, and a substantial segment of the white population," Kennedy and Marshall offered, as a model, "the information gathering techniques used by the Bureau on Communist or Communist related organizations." Describing these techniques as "spectacularly efficient," the attorney general recommended that President Johnson "take up with the Bureau the possibility of developing a similar effort to meet this new problem."[10]

Robert Kennedy was in an awkward position. Despised by Johnson and Hoover, and embroiled in feuds with both men, he was, in effect, immobilized during the summer of the Klan. President Johnson had long hated the Ku Klux Klan. When he was thirteen, Klansmen had threatened to kill his father, and young Lyndon had spent a night in the cellar of the family home with the women and children while his father and uncles stood watch on the porch with shotguns.[11] But in 1964 LBJ seemed more worried about RFK than the KKK. He saw in Kennedy a rival who could challenge his claim to legitimacy and to party and national leadership; the president used the FBI to investigate "Bobby Kennedy's boy[s]"—that is, members of the administration who "had more loyalty to the Attorney General than . . . the President"—while getting "ready to take Bobby on." Hoover probably hated Kennedy even more that he hated Martin Luther King. His objections ranged from the trivial—the attorney general let Brumus the dog run up and down the halls of the Justice Department building and let his children run back and forth in the director's office—to the substantive. Kennedy turned up at field offices to ask hard questions. He did not want a public relations visit; he wanted to know how the Bureau did things. And he made Hoover do civil rights work. "Why would he like it?," Kennedy asked. "He hadn't made any changes himself in twenty years."[12]

Hoover refused to launch the kind of operation against the Mississippi Klan that Marshall and Kennedy wanted, and Johnson saw no reason to pressure him to reconsider his decision.

The attorney general believed the FBI lacked "civilian control," that its director was "rather a psycho," a "senile" and "frightening" head of "a very dangerous organization," who realized "after November 22, 1963, [that] he no longer had to hide his feelings. . . . He no longer had to pay attention to me; and it was in the interest, evidently of . . . President Johnson to have that kind of arrangement and relationship." When a Justice Department attorney summarized the view from Kennedy's office, Cartha DeLoach passed the information on to Hoover: "A number of individuals close to the Attorney General felt that the President's body had not even become cold before you started circumventing the Attorney General and dealing directly with [President Johnson]."[13] LBJ began to pressure the director to act in Mississippi only on June 21, when COFO reported three civil rights workers missing in Neshoba County.

The FBI held files on two of the three, and Michael Schwerner was of particular interest. A native New Yorker, Schwerner had joined New York's downtown CORE the previous summer and went to Mississippi with his wife, Rita, to run the COFO community center in Meridian—a particularly dangerous assignment. In early June 1964 they received a letter from Richard Haley, assistant to CORE's national director, indicating a concern for their safety. "Obviously the tension is gradually rising as your activities probe more deeply into direct action. I am pushing very hard for the national office to set up a high level Justice Department conference to discuss specific protective measures."[14] A few days later, the Schwerners and James Chaney, a twenty-one-year-old black high-school drop out and CORE field worker who had also attracted the FBI's attention, drove up to Oxford to help prepare the summer volunteers. They came back almost immediately, accompanied by one of the volunteers, Andrew Goodman, a student at Queens College in New York, to investigate the beating of three blacks following a meeting at the Mt. Zion Church in Longdale and the burning of the church.

On Sunday morning, June 21, unknown to the FBI or anyone else outside the Mississippi civil rights network, the three young men drove a CORE station wagon from Meridian to Longview. On the return trip Neshoba County Deputy Sheriff Cecil Price arrested them for speeding, jailed them in Philadelphia, and finally released them a little after 10:00 P.M. and told them to leave town. A few miles outside of Philadelphia, the deputy stopped their car again—this time after a wild chase—and turned them

over to a group of Neshoba County Klansmen. One of the Ku Kluxers, with one hand on Schwerner's shoulder and a gun in the other, asked, "Are you a nigger lover?" Schwerner, "the Jew-boy with the beard" and the bright blue New York Mets baseball cap, was the Klan's principal target during the evening's "missionary work." When he started to say, "Sir, I know how you feel," the night riders shot him dead. The Klan then murdered Goodman and Chaney, set fire to the CORE station wagon in a sweetgum thicket deep in the Bogue Chitto Swamp, and carted the three bodies off for burial at a dam construction project.[15]

The FBI learned almost immediately that Schwerner, Chaney, and Goodman had failed to return to Meridian on time Sunday evening. Hoping to convince someone to investigate, SNCC workers called everybody on their "hot list"—starting with the authorities in every town along the Longview to Meridian route. Using the name of "Margaret Fuller," a "reporter" for the *Atlanta Constitution*, Mary King spoke to Deputy Sheriff Price himself, who denied knowing the whereabouts of the three young men. At 10:00 P.M., only minutes before Price released his prisoners from the Philadelphia jail, Sherwin Kaplan, a law student, spoke to Hunter E. Helgeson, one of the FBI's resident agents in Jackson. Helgeson asked to be kept informed. Thirty minutes later the COFO office in Meridian contacted Frank Schwelb, a Justice Department lawyer who was staying in town. More phone calls followed at 11:00 P.M.. At midnight, Schwelb "stated that the FBI was not a police force." When Robert Weil of the Jackson COFO office phoned Helgeson once more, the FBI agent "took in the information curtly and did not allow a chance for further conversation." Aaron Henry had a similar experience when he called the FBI.[16]

SNCC kept pressure on the FBI and other government agencies throughout the early morning hours and into the next day. At 1:00 A.M. the Atlanta office telephoned John Doar, and following more phone calls at 3:00 A.M. and 6:00 A.M. Doar said the FBI would "look into the matter." At 7:30 A.M. and again at 8:30 A.M. SNCC contacted Helgeson, who said he could do nothing until he heard from the FBI field office in New Orleans. Another phone call to Doar followed at 9:15 A.M. At 11:00 A.M. Helgeson said the Bureau would now "take the necessary action." Because Schwerner, Chaney, and Goodman may have been beaten after their arrest and before their release from the Philadelphia jail, the civil rights statute may have been violated. This "threw new

light on the FBI's role in the case." At noon, however, Helgeson said the New Orleans office still had not ordered an investigation. Fifteen minutes later, an agent from the field office told a SNCC volunteer that no instructions had been received from the seat of government. At 1:40 P.M., and again an hour later, SNCC tried to get through to Doar. At 5:20 P.M., Doar called back with news that the FBI resident agent in Meridian, John Proctor, was coordinating a search. Proctor had in fact interviewed Cecil Price—an interview that concluded with the deputy slapping Proctor on the back and saying, "Hell, John, let's have a drink." The two men then imbibed from a cache of contraband liquor in the trunk of Price's cruiser.

Meanwhile, the movement continued to press the FBI and the Justice Department to intervene. The first clear sign of progress, other than Proctor's casual inquiries, occurred around 6:30 P.M., when Robert Kennedy instructed the FBI to treat the disappearance as a kidnapping. But when Bill Light of the SNCC office in Jackson asked the Bureau to confirm the investigation, the agent he spoke to told him to direct "all inquiries . . . to the Justice Department." At 8:45 P.M. SNCC placed a collect call to Doar at his home. He refused to accept charges. Later in the evening the movement finally learned, from the newspaper reporters who had converged on Philadelphia, that the FBI was indeed organizing a search. New Orleans SAC Harry Maynor sent five agents and an inspector to Meridian on June 23. "We're going to see if we can find those guys," Maynor told Proctor. Agents from other field offices, including the Bureau's major case inspector, Joseph A. Sullivan, soon joined the New Orleans squad. On the night of June 24, FBI Assitant Director Alex Rosen arrived on the scene, having flown down from Washington aboard one of President Johnson's jets.[17]

By then, the movement had assumed the worst. "The kids are dead," Robert Moses told the summer volunteers back at their training site in Ohio. "No privileged group in history has ever given up anything without some kind of blood sacrifice." COFO wanted the FBI to mobilize and find Schwerner, Chaney, and Goodman, but there was more to their concern that that: they intended to force the protection issue. Moses urged the parents of the summer volunteers "to use their influence" to pressure President Johnson and Attorney General Kennedy into a commitment to protect workers *before* violence occurs." The chronology of the SNCC/COFO attempt to force an FBI investigation,

Moses added, "shows that it took 24 hours—undoubtedly the critical 24 hours—to get the Federal Government to act." Bureau officials found the chronology especially troubling. They suspected movement people had tape recorded phone conversations with field agents, and they took the time to see if any wiretapping statutes had been violated.[18]

Eventually, COFO had more success in forcing Lyndon Johnson to act than J. Edgar Hoover. Pressure on LBJ built slowly, and in a distinctly political mode. "Congressman Bill Ryan [D., N.Y.] called me," Lee White recalled, "so I go to the president and say, 'Mr. President, Bill Ryan's calling on behalf of the parents . . . they really want to see you.' " "*What for?*," Johnson asked. "Well, they just want the world to know and they want to be reassured that you're doing everything you can to find those kids." "This is June," Johnson told White. "Every goddamn time somebody's going to be missing, I got to meet with all those parents." "He sort of said, 'No,' " White continued. "I said, 'Well, it's not a case of whether we're gonna invite them. I have to go back and tell Ryan no. . . . The *Herald-Tribune* is going to have an article saying the president refuses to see the parents of the missing civil rights workers.' Now he's really getting mad. . . . In any event, the president saw 'em"—Schwerner's and Goodman's parents, anyway—and "while they were all there, Hoover called and said we found the station wagon." Actually, several Choctaw Indians had come across the car by chance.[19]

To Michael Schwerner's wife, a slight, pale woman with black hair, it looked like nobody cared. A secret service agent took her late-night telephone call to the White House, declining to wake the sleeping president. "Mrs. Schwerner sounded quite upset," the agent concluded. "She wished to know how many agents of the FBI were working on the case and where they were working" and "could possibly cause embarrassment."[20] Two days later, on June 25, Rita Schwerner tried to see Mississippi Governor Paul Johnson in Jackson. Accompanied by Edwin King and Bob Zellner, SNCC's first white field secretary, she was kept out of the governor's waiting room by "a fat man" who "zoomed ahead . . . and slammed the door." After a few knocks, the group spoke briefly to one of the governor's assistants and a receptionist—who "started telling Rita what a beautiful state Mississippi was." They caught a glimpse of Governor Johnson later that day at his mansion, escorting Alabama Governor George Wallace and Jackson Mayor Allen Thompson up the steps. When Governor Johnson saw who they were he "started walking," leaving Michael Schwerner's wife facing another closed door. From Governor Johnson to President Johnson, and from Mayor Thompson to FBI Director Hoover, everyone hoped Rita would simply go away.[21]

Mrs. Schwerner and her companions had better luck seeing President Johnson's special emissary, former CIA Director Allen Dulles, over at the Federal Building. Dulles granted the group an audience of two minutes. The government was doing all that it could, he said. When Rita said the government was not doing much of anything, an FBI agent sitting in the room told her the remark "was a poor joke in poor taste." The two minutes were up. When Dulles offered his hand, she refused to shake it. She "didn't want sympathy," she "wanted her husband back." She headed out the door and toward Philadelphia to confront Neshoba County Sheriff Lawrence Rainey. Dulles moved on to his next appointment, receiving Henry, Moses, Dennis, and Guyot. When he told them "we want this mess cleaned up," Henry asked what he meant. "Well," Dulles said, according to Henry's recollection, "these civil rights demonstrations are causing this kind of friction, and we're just not gonna have it, even if we have to bring troops in here." The COFO delegation was incredulous. "You talkin' to the wrong people," Henry told the president's emissary.[22]

On the evening of June 25, the same day that Rita Schwerner saw Paul Johnson and Allen Dulles, television newsman Walter Cronkite described the search for the three civil rights workers as "the focus of the whole country's concern."[23] Lyndon Johnson finally met with Mrs. Schwerner on June 29, and with Chaney's mother in early July, and he had more on his mind than public relations. Burke Marshall described the apparently "silly idea" of sending an aging ex-CIA chief to Mississippi as a "pretty effective" strategy in the long run. "There's three sovereignties involved," Marshall explained. "There's the United States and there's the State of Mississippi and there's J. Edgar Hoover." The president "dealt with them separately, and he used Allen Dulles to do that, and it worked." When Dulles returned to Washington he advised Johnson to send more FBI agents to Mississippi, and further noted that the agents already there were too close to segregationist politicians. Having been "maneuvered" (Marshall's word) by Johnson, Hoover decided to open "a new big office in Jackson"—a bit of presidential persuasion that

an amazed Ramsey Clark described as "one of the great positive feats of contemporary American history."

It was also an Oval Office end run around Robert Kennedy. Nobody bothered to tell the attorney general. When Kennedy asked about the new Jackson office after reading about it in the newspapers, Hoover told him to "direct his inquiries to President Johnson." That comment best reflected the director's reasons for succumbing to White House pressure. He would act in Mississippi in exchange for more independence from the Justice Department.[24]

Roy K. Moore, the new special agent in charge, arrived in Jackson on July 5, giving him only five days to have an office ready for opening. Hoover was due to arrive on July 10. The FBI had not had a field office in Jackson since the Second World War. Bureau agents in northern Mississippi operated out of six resident agencies and reported to the Memphis field office. The seven resident agencies in the southern portion of the state reported to New Orleans and Jackson was the largest of the resident agencies, with six agents quartered in a few rooms in the Federal Building. So Moore looked up an old friend from Charlotte, who was then president of a Jackson bank, and talked him into leasing the top three floors of the bank's new office building. More contractor and carpenter than G-man for the next four days, Moore beat his deadline with "a dummy office—a sort of false-front Potemkin village—just opposite the elevators on the top floor."[25]

FBI Assistant Director Cartha DeLoach arrived on July 9 to handle arrangements for Hoover's security. In most ways, as syndicated newspaper columnist Nicholas Von Hoffman commented, the director was the rarest of human beings in Mississippi—"a popular Federal official." Even the July edition of the White Knight's *Klan Ledger* had something good to say about him. Dismissing the Schwerner-Chaney-Goodman "disappearance" as "a communist hoax," the Klan recommended that any person who did not understand the ways of America's subversives "do a little reading in J. Edgar Hoover's primer on communism, MASTERS OF DECEIT." The director had powerful friends in Mississippi, too. He included the names of both United States senators, James Eastland and John Stennis, on his Special Correspondents List. But neither DeLoach nor Hoover took any chances. Among other services, DeLoach screened all phone calls to the Sun 'n' Sand Motel where the director had reservations, including at least one anonymous, threatening call.[26]

When Hoover and his associate director and constant companion Clyde Tolson arrived on the morning of July 10, they were greeted at the airport by Mayor Thompson, State Commissioner of Public Safety T. B. Birdsong, Jackson Police Chief W. D. Rayfield, "and other city and state dignitaries"—the very people the civil rights workers said they needed protection from. After meeting briefly with Moore, Rosen, and Sullivan, and accepting their recommendation that he not visit Philadelphia, Hoover went to the governor's mansion for his first appointment. He promised to help professionalize the Highway Patrol by reserving space in the FBI National Academy for additional Mississippi applicants and by lobbying in Washington for money to upgrade the state police academy. He also gave Governor Johnson and Commissioner Birdsong the names of those highway patrolmen who had joined the Klan. The meeting lasted about an hour. Hoover's group moved on to their second appointment at the capitol building with Mississippi Attorney General Joe T. Patterson, who introduced his entire staff, most of his family, and "a large number of state employees." Hoover found everyone "friendly" and "warm."[27]

The ceremonies opening the new FBI field office began at 1:00 P.M. At the press conference that followed, Hoover made it clear that he had not sent 153 agents into Mississippi to protect civil rights activists. Earlier, he offered COFO workers the opportunity to leave their fingerprints at the nearest FBI field office and that was about as far as he would go. The director went on to describe Governor Johnson, who had called NAACP activists "Niggers, Alligators, Apes, Coons and Possums" during a recent campaign, as "a man I have long admired from a distance." Neil Welch, the assistant special agent in charge of the Jackson office, said Hoover "had declared war, but, unlike the Justice Department, he had carefully avoided making Mississippi the enemy." "The FBI comes in here everyday and we have coffee everyday," the sheriff of nearby Clarksville told reporters after the press conference. "We're good friends." Though SNCC workers had named this particular law man in dozens of affidavits charging brutality, his faith in the FBI was well put. "A few Civil Rights Division attorneys," Welch claimed, "actually manufactured" a good many of the police brutality complaints in Mississippi.[28]

Hoover's last appointment was with Charles Evers of the Mississippi NAACP. "Evers was difficult to reach," Joseph Sullivan remembered. "He appeared to feel he had no need for liaison

with the FBI." But Evers talked to Hoover. When he mentioned the burden of constantly living under the threat of violent death, the director "suggested he carry on in the tradition of his late brother. . . . I told him that while I could understand his feelings, he must expect some degree of personal danger—particularly in view of his position of leadership during an era of turbulent social upheaval. I mentioned the numerous threats to my life over the years, mostly from the lunatic fringe." Before moving on, Hoover lectured Evers on the criticism leveled by "a number of [his] followers" in the wake of the FBI's investigation of Medgar's assassination. Evers himself remembered Hoover as "a racist. . . . He didn't have time, he didn't want to sit down. . . . I kept pressuring him about why there were no Negroes in the FBI," but all he wanted to do was look "for a bugger bear behind every stump."[29]

Having spent twenty-four hours and five minutes in Mississippi, Hoover returned to Washington the next morning, where he found a grateful Lyndon Johnson. "I find it a great solace to lean on an old friend, such as you in handling such delicate assignments," the president wrote. "You left behind you in Mississippi a feeling of good will." With Martin Luther King scheduled to speak in Greenwood ten days later, Johnson asked Hoover for one more favor. He wanted the FBI to protect King, to station agents "in front and back of him when he goes in; that at least there ought to be an FBI man in front and behind to observe and see what happens." The director agreed to do so.[30]

Hoover's largess set no precedent. His FBI provided protection for one civil rights leader during one speech—and only after a phone call from the president. Johnson placed that phone call six minutes after Robert Kennedy told Hoover to protect King. The director said no. "I told the Attorney General that once we start protecting [one of] them, we are going to have to do it for all of them. The Attorney General stated he had raised the point with the President so perhaps I would want to discuss it with the President. I told the Attorney General that I will do whatever he thought should be done . . . but I had taken a firm stand on it. The Attorney General stated he had never asked me to do it." When refusing Kennedy's request, Hoover created a paper record denying his own insubordination.[31]

Afterward, the FBI received letters from two suspects in the Philadelphia murders, Sheriff Rainey and a Neshoba County judge, complaining about the twenty or twenty-four agents who

protected Dr. King "at all times." Both men argued, as Hoover had countless times in the past and would continue to do so once King had left Greenwood, that state and local police should have handled the assignment. The SNCC people also noted the Bureau presence when King arrived in Mississippi, and a few responded with sarcastic comments. When four car loads of FBI agents showed up with King in Jackson, summer volunteer Sally Belfrage said no one knew why they were there—"since they were not, of course, a police force and could not, of course, protect anyone."[32]

Both the civil rights community and the white resistance adopted a skeptical, wait-and-see attitude toward the new FBI presence in Mississippi. During an interview for the Walter Cronkite broadcast on CBS, King referred to the publicity regarding the Jack Gilbert Graham case that had accompanied Roy Moore to Jackson. Graham had detonated a bomb aboard a commercial airplane, and the case was one of the toughest in the FBI's history. Moore broke it nonetheless. King wondered how "a plane can be bombed and its pieces scattered for miles and the crime can be solved, but they can't find out who bombed a church." Dick Gregory, the black comedian and activist, dismissed the Bureau as "a joke . . . a second Ku Klux Klan." "If these Mississippi white Klansmen, who do not know how to plan crimes, who are ignorant, illiterate bastards, can completely baffle our FBI," Gregory asked, "what are those brilliant Communist spies doing to us?" Three days after the murders, a group of SNCC workers "went into the county (Neshoba)," but "didn't see any police cars or FBI and we went over lots of portions of the county. The only thing we saw was a marine helicopter flying above us . . . we didn't see any FBI."[33]

The reason for the skepticism about the FBI presence was obvious. The violence had not abated. By COFO's estimate 450 incidents marked the three months beginning June 15. Segregationists assaulted three voter registration workers in Hattiesburg as Hoover made his speech in Jackson. In Canton, when police officers beat another voter registration worker, McKinley Hamilton, Minnie Lou Chinn described the reaction of two FBI agents. "[They] saw it all just as we did, and them bastards had the nerve to ask what happened." When assistant SAC Neil Welch arrived in early July, he saw fresh blood on the sidewalk outside the bank building that housed the new FBI field office, evidence of the axe-handle beating three black COFO activists

had received on Jackson's main street. The victims of this assault, still bleeding, were inside waiting in Welch's office, and they told Welch their story while another FBI agent crawled around on the floor, spreading newspapers to keep the blood from staining the carpet. Even the reporters who helped make 1964 "a banner year for the Mississippi motel and car-rental business" invariably checked in at The Embassy—their name for the Jackson field office. "People coming in from outside, that is, from anywhere except Mississippi," Roy Moore said, "were afraid for their lives. And with good reason . . . we had about ten murders altogether."[34]

COFO workers never received adequate protection from the FBI, but they did notice a few encouraging signs. Moore launched a speech-making campaign to alert the public to the danger posed by terrorism, and the FBI arrested three white men in Itta Bena for threatening two summer volunteers who were canvassing with SNCC staff member Willie McGhee. Over time, Moore and his men accomplished most of their goals. They identified all of the Klan officers in Mississippi, escalated their Klan infiltration investigations of city, county, and state police, and notified "the head of the law enforcement agency involved," along with the governor of the state, if "any member of his organization . . . [had] been sworn into the Ku Klux Klan." This was not done in every southern state—Hoover said his men could not deal with the Alabama Highway Patrol because of Governor George Wallace's "psychoneurotic tendencies." In Mississippi, though, things worked smoothly. Governor Johnson "summarily fired" five troopers identified in this manner, and ordered uniformed members of the Highway Patrol to interrogate every known Klansman "out in the rural." All this was accomplished, Nicholas Katzenbach later advised President Johnson, "at the urging of the FBI."[35]

A few FBI agents resigned rather than go to Mississippi with Roy Moore. For a time, Jackson became a "voluntary office." The hours were too long, community pressures too intense, the danger too imminent. A few young, aggressive agents, however, leapt at the chance to go South and work the tough cases in a tough environment. It was glamorous, or at least exciting, to crawl under a black grocery store or a COFO Freedom House to look for a bomb on your first night on the job. "The breakdown in local law and order" appalled most of the agents who did volunteer, John Doar concluded. "They were ashamed of the Bureau's prior performance," its deference to the rule of white over black and its indifference to the rule of law.[36]

FBI Inspector Joseph Sullivan led the effort in the field to solve the Philadelphia murders. Robert Wick, a Bureau executive who had worked on the Mack Charles Parker lynching in Poplarville, Mississippi, back in 1959, said Sullivan was "absolutely the best there is. If I ever did anything wrong, the last man in the world I'd want after me would be Joe Sullivan." The people who buried Schwerner, Chaney, and Goodman learned that first hand. Sullivan headed a massive investigation, captioned MIBURN (a reference to the burning of the church in Longdale), that involved 258 agents. They interviewed over 1,000 Mississippi residents, including 480 Klansmen—"just to let them know we know who they are," Hoover said; spent $815,000; and "worked in swamps infested with rattlesnakes and water moccasins." The dredging process turned up several black corpses and parts thereof—including a torso clad in a CORE t-shirt. Many agents missed vacation time, and "only a few got home for Christmas." They overlooked nothing, missed no angle. "We also have a long line of individual Negro women with whom the Sheriff has had sexual relations," the director told the president. "We are digging into that more for persuasive evidence on him when we bring him in," so "[we can] put pressure on him."[37]

The pressures on the FBI were enormous. "You got questions everyday," civil rights section chief Clement McGowan recalled. "Have you found the bodies, have you found the bodies, what are we doing? We got just an awful lot of heat from Mr. Hoover. . . . That was a rough one to handle." "You know, they went like a pack," McGowan continued, describing the subjects of the investigation. "Everybody knows everybody else and they could see, say, that Agent A and Agent B were interviewing suspect No. 5 here. . . . As soon as the agents left they moved in on him to see what was going on and what he told him. That made conducting interviews extremely difficult." Joseph Sullivan said nobody would talk "save for a few brave ladies"—Florence Mars, Ellen Spendrup, and a few of their friends. Mrs. Mars and her friends did what they could, but they did not really know very much and no one else in the Philadelphia area would talk. "Fear of the Klan overlay the uncooperative attitude of some," Sullivan noted. "Others perceived that the civil rights workers were outside troublemakers who had received their just dues."[38]

Things were so tough that Hoover nearly brought in the marines to help—after the White House garbled a message about sailors from a nearby naval air station participating in the search for the bodies. When President Johnson told Hoover to "get two hundred marines down there right away," the director delegated the task to William Sullivan, who phoned Secretary of Defense Robert McNamara and Undersecretary of Defense Joseph A. Califano, Jr. After Califano called back with a progress report—the corps supposedly had one helicopter carrying twenty or thirty marines in the air and was lining up the rest at Fort Bragg and Paris Island—Hoover phoned the White House once again. In the interim, with Governor Johnson and Senator Eastland threatening to go to the press ("Marines Invade Mississippi!"), the commander in chief aborted the mission, with the chain of command flowing, as ever, through Sullivan's Division Five desk to the Pentagon. The marines never landed.[39] The whole thing was more unusual than most of the requests for FBI assistance that emanated from President Johnson's Oval Office, but Hoover knew that he had to respond—that it was part of the price he had to pay for the greater independence he gained from the Justice Department. The president concluded that the director's promptness in handling such requests indicated an absolute loyalty. He was mistaken, and he would ultimately pay a price for misreading Hoover.

The FBI forced the first real break in the Neshoba County case by paying an informant $30,000. "We bought the informant," one agent said. "Cheap. We'd have paid a lot more if we'd had to. We'd have paid anything." On August 4 the informant's tip led Joseph Sullivan's men to a dam construction project on the Ollen Burrage farm. Working with a Link-Belt dragline and a Caterpillar bulldozer with a ten-foot blade, the digging went on for nearly six hours in 106-degree heat before the blow-flies began gathering, "numerous vultures or buzzards were observed reconnoitering," and Michael Schwerner's body appeared, face down in the Mississippi clay. The three civil rights workers had not "gone to Cuba," as the Klan kept telling everyone. When the FBI telephoned the White House to say that two "WBs" (white bodies) and one "BB" (black body) had been found, the president interrupted a National Security Council meeting to take the call.[40]

By early September the FBI had sent the Justice Department thousands of pages of investigative reports and other documents

on the murders, the beating of the three blacks at Longdale, the burning of the Mt. Zion Church, and dozens of other civil rights complaints against Neshoba County law enforcement officers. By the end of the month, in the wake of a state grand jury's refusal to return a single indictment (and the FBI's understandable refusal to share information with segregationist state prosecutors), Department attorneys began their presentation of evidence to a federal grand jury in Biloxi. Acting Attorney General Katzenbach, nonetheless, cautioned President Johnson not to expect too much. The FBI had not "solved the murder case" and thus its reports contained "no evidence which can form the basis of an indictment for these murders."[41] Instead, the Bureau and the Department pushed for a Section 241 indictment against Rainey, Price, and others, on the grounds that they had conspired to deprive the victims of their constitutional right to do voter registration work in Mississippi. State authorities charged no one with murder or conspiracy to commit murder.

Indictments and convictions on federal civil rights charges were difficult to obtain even after the FBI obtained the confessions that broke the case wide open. On December 1, after Martin Luther King met with the director and told the press immediately thereafter that arrests were imminent, Roy Moore told Hoover that it appeared to white Mississippians "that King was calling the shots." Hoover sent Moore's message to the White House. Three days later, on December 4, the Bureau arrested the sheriff, his deputy, and seventeen other men on the conspiracy charge. Six days later, United States Commissioner Esther Carter dismissed all charges at a preliminary hearing.

The FBI and the Civil Rights Division persisted, however, and in January 1965 secured indictments against all nineteen suspects. When Judge Harold Cox threw out the substantive part of the indictments (that is, the Section 241 counts), the Division appealed to the Supreme Court. In March 1966 the Court overruled Judge Cox, reinstating the original indictments. Nearly a year later, in February 1967, a new federal grand jury convened (defense counsel had argued that the original grand jury pool of potential jurors had not included a sufficient number of blacks, Indians, and women), and handed down indictments against seventeen conspirators. Finally, on October 20, 1967, based in part on the testimony of two paid FBI informants, an all-white jury found seven of the defendants guilty of violating Section 241. They found Rainey not guilty. Klan leader Sam Bowers received

the maximum ten-year sentence; the others, including Price, received three to ten years. "They killed one nigger, one Jew, and a white man," Judge Cox explained, years later. "I gave them what I thought they deserved."[42]

At one time, there appeared to be a consensus that the FBI had done a good job. Hugh Fleischer, a Civil Rights Division attorney who worked in Mississippi, said the FBI acted throughout "as if it were a real investigation." Martin Luther King said the FBI's work "renews again my faith in democracy," while Whitney Young praised the FBI's "outstanding effort" and Roy Wilkins noted simply, "the FBI has done its job." After Cartha DeLoach briefed the black-owned *Chicago Defender*, Sumner Stone raved over the G-men in his "Orchid for the Day" column: "To the FBI for its usual relentlessly brilliant and painstaking police work," the same "kind of magnificent detective work that traced the bullet which killed Medgar Evers." Stone urged his readers to write the Bureau to say thanks. Hoover sent a copy of the column to the White House. Later, when Joseph Sullivan left the Bureau, about four hundred agents and two former Civil Rights Division lawyers attended his retirement party. The two lawyers were John Doar and D. Robert Owen, the man who presented the Neshoba County case to the federal jury.[43]

Not everyone was appeased. "It's a shame," John Lewis said, "that national concern is aroused only after two white boys are missing." SNCC placed "the full responsibility for these deaths directly in the hands of the United States Justice Department and the Federal Bureau of Investigation." That statement reflected, more accurately than the words of praise from King, Young, and Wilkins, or the comments of Sumner Stone's "Orchid for the Day," the view of the people who had organized Freedom Summer in the first place.[44] Joseph Sullivan and the other FBI agents in Mississippi had done a good job, but SNCC activists still believed they had enemies within the hierarchies of the FBI and the Justice Department. Other FBI actions during the course of Freedom Summer would show that the SNCC people were right about Hoover and his men, and nearly right about the Department.

In Mississippi and elsewhere, SNCC and the larger civil rights movement were always in a state of flux. The pace of change, however, quickened after the tragedy in Neshoba County. Berl Bernhard, the former staff director of the Civil Rights Commission, said the government's conservatism on the protection issue

"broke down a trust on the part of people who were on the front lines of what was nothing less than a battle. . . . It had a detrimental effect on respect for the authority and the dignity of the United States of America," and contributed to "a further severing of the possibility of resolution. . . . The streets became the battleground and violence enveloped the movement." The movement began to split, moderates versus radicals, moderates moving to the left and a few radicals beginning a slide towards nihilism.[45]

There was a break in the movement and some abandoned the longtime commitment to nonviolence. The fracture was there for the FBI to exploit. Hoover ordered Roy Moore to set up a special squad to exacerbate the growing divisions within the movement, and the "civil rights desk" in the Jackson field office handled the counterintelligence responsibilities. One of the agents on the special squad, James O. Ingram, had originally requested a transfer to Mississippi because he wanted to work on civil rights cases. The chief counsel for the Jackson office of the National Lawyers Committee for Civil Rights Under Law, Lawrence Aschenbrenner, remembered him as "a good guy . . . the head of the Klan detail." But Ingram ended up on the Black Nationalist Unit-West of Division Five's Racial Intelligence Section, where he worked under another former Jackson agent, Hunter E. Helgeson, and he was sued, along with Moore and yet another Jackson agent, for violating the civil liberties of a black man. Bureau agents went after the Klan in Mississippi, but they also went after black nationalists and even moderate advocates of racial justice.[46]

FBI priorities did not change much during Freedom Summer. The Philadelphia horror and the pressure of events had combined to get the Bureau moving in Mississippi. But the bureaucratic priorities of Hoover and his men continued to prevail. In one way, Robert Kennedy and Burke Marshall received what they had hoped for on the eve of Freedom Summer. "The problem," to quote Marshall again, was "rather to describe what is happening in such a way as to permit the Bureau to develop its own procedures for the collection of intelligence." Hoover ended up with a brand new field office (and another one in Columbia, South Carolina, the next year), larger budgets, more agents, and control over his bureaucracy's destiny.

A few weeks before his agents arrested Price, Rainey, and the rest, Hoover described himself at a press conference as a

"states' righter" who believed civil rights enforcement should remain the responsibility of local police officers. He praised the Mississippi Highway Patrol and "rapped," in an oblique reference to Robert Kennedy's attorney generalship, "the harsh approach toward Mississippi taken by the Justice Department during the past three years." He made a few references to "water moccasins, rattlesnakes, and red-necked sheriffs," then repeated the familiar refrain: "We don't guard anybody. We are fact-finders. The FBI can't wet-nurse everybody who goes down and tries to reform or educate the Negroes in the South." A few weeks later, in an interview with David Lawrence, Hoover again chose those code words for racism to describe himself. "I had spoken of being a states' righter . . . I was a states' righter." President Johnson had forced the director to send a positive signal to the civil rights community by opening a new FBI office in Jackson, and the director was determined to send a signal of his own to his white southern constitutents.[47]

Hoover knew what he was (a states' righter) and what his white constituency in the South demanded (surveillance of civil rights workers). Even during the most desperate days of Freedom Summer, when his agents scrambled to find the bodies, he did not neglect the Red menace. He briefed Burke Marshall on the "subversive activities" of Michael Schwerner's father back in New York, and his agents investigated anyone who had any connection with Freedom Summer whatsoever. In the case of Allard Lowenstein, who had visited South Africa and written on what he saw there, the Bureau noted his opposition to apartheid. The Bureau also clipped a newspaper article about Lowenstein's appearance at a dinner party given by Arkansas Senator J. William Fulbright. Other guests included Robert McNamara, Adlai Stevenson, and Lyndon and Lady Bird Johnson.[48]

Meanwhile, at FBI headquarters, Division Five directed the field to identify the college students who signed on as summer volunteers and to run their names through the files.[49] This type of trolling was not very useful. Few twenty-year-olds possessed old-left pedigrees. Bureau agents carried on nonetheless. They followed the students home through the late summer and early fall, visiting anyone who had criticized their organization's work in Mississippi and characterizing them in the files as "immature, unreliable and obnoxious." And they opened files on every resident of every COFO Freedom House—including one house whose residents included a Catholic nun, a former FBI

agent, the son-in-law of a newspaper publisher, the daughter of a Communist party member, a newspaper reporter, and "an oversexed Vassar girl." "Of course there were associations," Roy Moore said. "There were quite a few hard-core communists, but they weren't any more important than any other group." The most extreme example of communist infiltration involved a newlywed couple in southwest Mississippi—"the son and daughter of two of the leading Communist party leaders in Wisconsin and Illinois" who came down "on their honeymoon" to handle "communications out of a COFO house."[50]

The FBI investigated another COFO house resident, Larry Rubin, a summer volunteer from Pennsylvania who had been assaulted in Holly Springs, Mississippi, after receiving a phone call from Senator James Eastland. Because he had been co-chair, along with Joni Rabinowitz, of the Fair Play for Cuba Committee back at Antioch College, the Bureau lumped Rubin with its uncounted group of "individuals with communist backgrounds [who] are known to have assisted in SNCC's 1964 'Mississippi Project.' " Moore may have been low key about the Red menace in the Magnolia state; Hoover was not. Three weeks after the call from Senator Eastland, he briefed New York Governor Nelson Rockefeller on the "communist problem" in connection with "the racial situation in Mississippi."[51] The FBI disseminated information to interested politicians like Rockefeller, "cooperative news media sources, educational officials and other sources in an effort to expose the background and activities of these communists."[52]

FBI officials also pursued their anticommunist goals by cooperating with the law enforcement community in Mississippi, sharing information with the intelligence units of the Jackson Police Department and the Highway Patrol. This last agency claimed to have files on "all known radical agitators in the State." The FBI received additional information from the Mississippi State Sovereignty Commission, one of the more primitive public-sector agencies formed in the wake of *Brown v. Board of Education* to "resist the usurpation" of states' rights. The Commission channeled tax dollars to the Citizens Council, hired informants, organized mass mailings, and, according to director Erle Johnson, Jr., "turned over information on subversives to the FBI." For a time during the late 1950s and early 1960s, chief investigator Zak Van Landingham—an FBI agent for twenty-seven years—coordinated these activities.[53]

The FBI's relationship with groups like the Sovereignty Commission and far-rightists like Erle Johnson and Zak Van Landingham was ambiguous. Hoover had only contempt for the methods of the Ku Klux Klan, but he recognized his constituency on the radical right. When Senator Karl E. Mundt (R., S.D.), a former member of HUAC and the McCarthy Committee, wanted a speaker for a Sioux Falls television station, he asked Bureau officials what they thought of Fred C. Schwarz of the Christian Anti-Communist Crusade. "The FBI reports Schwarz's material is intelligent, high level, and helpfully informative," Mundt advised the station manager. "They also told me that if you can't get Schwarz you might get an equally high level discussion on the Communist menace by Paul Harvey."[54] FBI officials even tried to manipulate far-right groups that they clearly identified as threats to the peace and stability of their America, sending information on black activists to J. B. Stoner's National States Rights party. They also sent Klan publications or "any other literature that can be obtained from organizations having an extreme hatred for black people" to black activists in Mississippi.[55]

Hoover never ignored the right, but he always focused on the left, and in Mississippi that focus led to the Medical Committee for Human Rights and especially the National Lawyers Guild (NLG), whose members had volunteered their respective medical and legal services. The FBI characterization of the NLG ("the foremost legal bulwark of the Communist Party") had been released under the name of the House Committee on Un-American Activities back in the 1950s, a time when Louis Nichols briefed a variety of groups and individuals on the Guild—from the American Bar Association to Senator Eastland's Senate Internal Security Subcommitee (SISS) and even Walter White and the NAACP. The damage was extensive. The Guild shrank to about 500 attorneys, with only a handful of members at large in the South and only four active chapters.[56]

The FBI had been monitoring the National Lawyers Guild's interest in the civil rights movement since 1959, when two attorneys from New Orleans, Benjamin Smith and Bruce Waltzer, tried to convince the Guild to become more involved in the black struggle. Not much happened until 1962 when two black attorneys from Norfolk, Virginia, Len Holt and E. A. Dawley, made an emotional plea for assistance at the NLG's national convention in Detroit. After extensive debate, the Guild decided to organize a Committee for Legal Assistance in the South (CLAS), selecting as co-chairmen two Detroit attorneys—one black, George Crockett, Jr., and one white, Ernest Goodman—and naming Holt and Smith field secretaries. In the months that followed, NLG members watched events in the South closely, particularly an October 1963 raid on the law offices of Smith and Waltzer, the two attorneys who had originally solicited their assistance.[57]

FBI officials also monitored these events closely. Louisiana police officers, acting on behalf of Jack Rogers, counsel for the Joint Legislative Committee on Un-American Activities, arrested Smith, Waltzer, and Southern Conference Educational Fund (SCEF) board member James A. Dombrowski, charging them with failing to register with the Department of Public Safety as agents of the Communist party. They confiscated all SCEF records—including a copy of Thoreau's *Journal* and a photograph inscribed for Dombrowski by Eleanor Roosevelt.[58] Rogers told the press that he had not coordinated the raid with local FBI agents because "they would have to tell Bobby Kennedy. We cannot trust him and expect he would tell his friend Martin Luther King." When King himself sent a telegram to the Civil Rights Division protesting the raid and requesting federal intervention, Burke Marshall said there was nothing the Department or the Bureau could do. The FBI had more freedom to act on the day after the raid, when SISS Chairman James Eastland sent Jay Sourwine, staff director of the Subcommittee, to New Orleans. Sourwine subpoenaed all 30,000 items seized in the raid and brought them back to Washington, where several FBI agents reviewed them. In March 1964, while the FBI indexed the names listed in the SCEF files, the Guild accepted an invitation from Bob Moses and SNCC to open an office in Jackson.[59]

The SNCC alliance with the National Lawyers Guild troubled nearly everyone. Senator Eastland told Cartha DeLoach that he was conducting "extensive" research "into House and Senate hearing records to build up a case against . . . [NLG] attorneys." He wanted "to show communist influence in the civil rights movement in the South," and planned "to make a talk very soon in the Senate on this matter."[60] Guild involvement even troubled the movement and its friends. SNCC said that Jack Greenberg and the NAACP Legal Defense and Education Fund had threatened to cancel plans to provide legal aid to the Summer Project unless Guild lawyers were purged. "We didn't want a lot of people barreling in here, spending thirty-six hours in Jackson, and then going home and telling people what great civil rights

lawyers they were," Greenberg explained.[61] Others, including Carl Rachlin, CORE's chief counsel; Edwin J. Lukas, general counsel for the American Jewish Committee; and Leo Pfeffer, general counsel for the American Jewish Congress, met with DeLoach to discuss the "plans of the National Lawyers Guild . . . to encroach on the role of CORE lawyers." All three groups were "perturbed," Rachlin said. "Many of the younger attorneys in their own organizations had not had any experience in opposing the communists such as Messrs. Pfeffer, Lucas, and he had encountered during the 1930s."[62]

After giving DeLoach a list containing the names of lawyers who had volunteered to work in Mississippi, the Rachlin delegation left to meet with Burke Marshall. Hoover ordered a memo sent to Walter Jenkins at the White House—Marshall having already received a memo characterizing the National Lawyers Guild as a communist front. From there, the FBI ran additional name checks, disseminated follow-up memos on the Guild's civil rights strategies to Jenkins, Kennedy, and Marshall, and placed George Crockett and Ernest Goodman on the counterintelligence program target list. In one operation, a John Birch Society official who was "very close to the Bureau" obtained a Birch booklet (*It's Very Simple—The True Story of Civil Rights*) for the FBI, and the FBI sent it, along with an anonymous letter, "to numerous ministers, priests and rabbis in Detroit." The Bureau hoped to discredit Crockett and his work in Mississippi, and eventually tried to sabotage his campaigns for seats on the Detroit City Council and the Recorder's Court by working with an extremist group called Breakthrough. The Detroit FBI office fantasized about taking over Breakthrough and directing its "right-wing conservative" activities. Hoover approved any "justifiable expenditure of funds to further this operation at any appropriate time."[63]

Besides Crockett and Goodman, the FBI focused on Guild members Henry Wolf and Martin Popper. Both men happened to represent Andrew Goodman's family, and Popper had been part of the Hollywood Ten defense team back in the late 1940s. (Goodman's parents were in fact part of leftist circles in New York; their dinner parties were attended by Zero Mostel, Alger Hiss, and others.) Popper and Wolf had accompanied Goodman's parents, Schwerner's parents, and Congressman William Fitz Ryan, among others, to the Justice Department, where they met with Nicholas Katzenbach and, briefly, with Robert Kennedy.

Hoover responded, once again, by sending memos to Walter Jenkins—with copies to Kennedy and Marshall and presumably Katzenbach as well. Describing the Lawyers Guild as a communist front, the director noted Popper's own conviction (later reversed) for contempt of Congress following his appearance in 1959 before the House Committee on Un-American Activities.[64] Turning from the Goodman family lawyer to Schwerner's parents, Hoover approved a wiretap (NY 4539-C*) on the home telephone of Michael Schwerner's father. Mostly, the tap uncovered information regarding "contacts of NAT SCHWERNER, in his activities to raise money for COFO."[65]

The FBI had also focused on Popper in early July, when he phoned Katzenbach to complain "that the Goodmans, as parents of one of the victims, have in effect been told nothing about the investigation to locate their son; that the parents want to know more; and are entitled to be told more than that the FBI is doing everything that can be done." "It appears," Courtney Evans wrote, after Katzenbach briefed the FBI, "that the Goodmans have been reading . . . highly speculative . . . newspaper items"—stories inferring "that possibly the local county sheriff at Philadelphia, Mississippi, has been involved." That was "an understatement," Hoover said. The director did not "care what the Goodmans nor Popper say or do. They are not going to intimidate me with their threats and innuendos. We have nothing to say and we will stick to 'no comment.' " If the FBI did tell the family anything, the director added, in a revealing comment, they would simply run "to the press—probably N.Y. Post or Worker."[66]

The FBI's pounding took a toll. By mid-summer, James Forman said "pressure on SNCC" to drop the National Lawyers Guild was coming "from the heartland of the administration itself." "[SNCC] workers are also involved in the COFO plans for the summer," Robert Kennedy told Lyndon Johnson. "They are seeking assistance from [the] National Lawyers' Guild . . . and some of them are more interested in forcing federal action in connection with street demonstrations than anything else."[67] (By relying on FBI reports for his understanding of the situation, Kennedy did not seem to realize that Freedom Summer was largely a Student Nonviolent Coordinating Committee project.) Forman's reference had its roots in a mid-summer meeting with Justice Department officials arranged by Alfred M. Bingham, who had left his Connecticut home for Jackson to see his son,

Stephen M., a summer volunteer from Yale. Bingham "almost had a fit" when he saw "the Lawyers Guild in operation there." Upon returning North, the senior Bingham, Burke Marshall, John Doar, and Arthur Schlesinger, whose own son Stephen planned to go to Mississippi, met with Steve Bingham, Forman, Moses, and Guyot. The ostensible purpose of the gathering, to discuss the situation in "the hill country of McComb and Natchez where the Klan rode strong," seemed secondary. "The Lawyers Guild," Forman said, "seemed to be the main subject on the minds of our hosts."[68]

From Forman's perspective, the civil rights workers might just as well have met with J. Edgar Hoover and his top aides. When they pressed the protection issue, Marshall "pleaded with us to go slow." When they said "all the United States Government had to do . . . was throw one of the racist sheriffs in jail," there was no reply. Only silence. After Marshall finally said something about the threat of "a guerrilla war in Mississippi" if the government locked up even one sheriff, Schlesinger brought up the Guild's tolerance of communists in its ranks. He made a point about the fight against communism in the 1930s and 1940s and then, "out of the blue," told the activists straight out, according to Forman's recollection: "We find it unpardonable that you would work with them." (Schlesinger does not remember using that particular locution.) The group emphasized "freedom of association" and "the unwillingness of the Justice Department and the NAACP Legal Defense and Education Fund to take aggressive action," but it did not do any good. Moses and Marshall "had a hot exchange on this point."[69]

Neither Bingham nor Schlesinger shared Hoover's alarmist assumptions about subversion, but in this particular case they believed communists in the National Lawyers Guild intended to send the sons of well-known people into dangerous areas. They called the meeting "out of a perhaps excessive but not unnatural concern for the lives of [their] sons." Nevertheless, as Forman later wrote in *The Making of Black Revolutionaries*, "the rupture with the government was complete and the issues absolutely clear. The words of Schlesinger echoed in my head, 'We find it unpardonable . . .' What blindness and arrogance, I thought. He knew nothing of our struggle in the South." Forman and the others had gone into the meeting with the idea that they might finally convince the federal government to act in Mississippi. They walked out convinced that the government was the enemy of black people.[70]

Both Stephen Bingham and Stephen Schlesinger lived through Freedom Summer, and one of them went on to attract the FBI's interest. Schlesinger remained a liberal, eventually writing a book about the CIA overthrow of the Arbenz government in Guatemala and serving as special assistant to New York Governor Mario Cuomo. Bingham slid over to the far left. Grandson of Hiram Bingham (archeologist, governor of Connecticut, United States senator, chairman of the Loyalty Review Board), and great- and great-great grandson of two more famous Hirams (the Hawaiian missionaries), he moved on to law school at Berkeley, the Peace Corps, and Cesar Chavez's farm workers. He ran into trouble with the FBI and the law in California, after allegedly slipping a gun to the Soledad brother, George Jackson, at San Quentin Prison. Three white guards, two white trustees, and three black inmates, including Jackson, died in the violence that followed. (Bingham escaped and went underground for thirteen years before surrendering himself to authorities; in 1986 he won acquittal on two counts of murder and one count of conspiracy to commit murder.)[71]

Had Doar or Marshall told Hoover about the drift of their Freedom Summer conversation with Forman, Moses, Guyot, and Bingham, the FBI director probably would have been pleased. With three of their own buried under thirty feet of Mississippi mud, the movement asked for protection. The listened instead to a lawyer speak the director's language, the language of federalism, and a professor lecture on the director's issue, the communist issue.[72] The movement was told the truth—told to look for shades of gray because "the constitutional issues" were complex. The movement saw right and wrong, black and white, the corpses of summer volunteers and grinning sheriffs and deputy sheriffs with cheeks full of Redman. Jim Forman recognized "a pattern. If government agents take a position that, 'well, we don't care,' or 'it's complex, and so therefore we won't do anything, and so you can continue to beat people, you can continue to lynch people,' and so forth, then people will know that they're encouraged," he said. "I mean, you can encourage the Klan or you can discourage them."[73]

For the FBI, during the third month of Freedom Summer, spying remained the preferred task. This was especially true when

President Johnson asked Hoover to cover the Democratic National Convention in Atlantic City, New Jersey. Two events planned for the convention troubled the president. The first was a tribute to John Kennedy to be delivered by his brother, who had just announced his candidacy for his party's nomination for United States senator from New York.[74] The second was the Mississippi Freedom Democratic party (MFDP) challenge to the seating of the regular, all-white Mississippi delegation. Formed and staffed by native Mississippians from SNCC and other veterans of the Freedom Vote Campaigns and the Summer Project, the MFDP threatened LBJ's dream of convention harmony. White House interest dated from late July when Walter Jenkins submitted the inevitable name-check request to the FBI. John Doar followed this request with another on August 19, submitting the names of forty party leaders, delegates, and alternate delegates—including Fanny Lou Hamer.[75]

At the same time, and at the president's specific request, Hoover sent what Arthur Schlesinger described as a special squad of "snoops and wiretappers" to Atlantic City to spy on Robert Kennedy and the Mississippi activists.[76] Not surprisingly, the director selected Cartha DeLoach to run the operation. (The president called for assistance so often and on so many fronts that he ordered a direct telephone line installed in the assistant director's bedroom.)[77] DeLoach organized a squad of twenty-seven agents, one radio maintenance technician, and two stenographers. He also received an agent from New York who had accompanied Robert and a pregnant Ethel from the Kennedys' Manhattan apartment to LaGuardia Airport and then on to Atlantic City on the family plane. DeLoach's team set up a command post in the Post Office Building, averaged eight hours of overtime a day, and "approached each assignment as a challenge and with enthusiasm." They completed one assignment while Dr. King testified on the MFDP's behalf before the credentials committee—by tapping the telephone in his room at the Claridge House Hotel. They tried to install a bug, too, but "had to get out before they could get mike coverage." From there, they tapped the phone in Bayard Rustin's room, and planted a microphone in the storefront serving as the SNCC–CORE headquarters. CORE was an incidental target. The real targets, DeLoach said, were the "sixty members of the SNCC from Jackson, Mississippi, [who] plan to . . . assist in seating the Mississippi Freedom Democratic Party delegation."[78]

FBI agents monitored every tap and bug from their own room in the Claridge House, and the two-way radios used by the Freedom Democratic party and several of the other civil rights groups from "one of the rooms in the Post Office Building." Whenever they intercepted an interesting bit of conversation on MFDP strategy, they telephoned it to Robert Wick at Crime Records offices in Washington, and Wick dictated the information to stenographers (who typed it up on "plain bond paper") and then rushed the document to the White House by special messenger. President Johnson, as one commentator later put it, "had the convention wired—literally."[79]

To keep track of the Mississippi activists in Atlantic City, the FBI also secured press credentials, with "the cooperation of management of NBC news," for two or three agents who went out onto the convention floor, posing as newsmen. One agent "was so successful," DeLoach bragged, "that [name deleted] was giving him 'off the record information' for background purposes, which he requested our 'reporter' not to print." Another agent, Lloyd Nelson, posed as a news photographer, and yet another, Ben Hale, interviewed "key persons in various groups, using walkie-talkie equipment" and broadcasting not to NBC but to the Bureau control center in the Post Office. Other agents operated an informant who "penetrated" MFDP headquarters in the Gem Motel and the place where the delegation held strategy sessions, the basement of the Union Temple Baptist Church. Most of the remaining agents watched the demonstrations out on the Atlantic City boardwalk. Michael Schwerner's widow, older brother, and mother and father were there, along with about 120 SNCC and CORE activists. DeLoach's squad ended up with "separate files" on the MFDP, King, and SCLC; several far-left and far-right groups; local hoodlums; and what seemed like every single movement group—CORE, SNCC, COFO, ACT, and the NAACP; among others.[80]

The Johnson White House had other sources of information on the Freedom Democratic party besides the FBI. One of Bill Moyer's friends, Robert Spike of the National Council of Churches ("one of these quiet, anonymous, little guys who devotes his life to causes like this"), had "the confidence of the Negro groups working in Mississippi" and relayed what he had learned. Martin Luther King himself kept in contact with Lee White, though he no doubt sought leverage of his own. He told White to expect "demonstrations and riots . . . unless some sort

of satisfactory adjustment of the 'Freedom Party' issue is found."[81] Attorney Joseph Rauh, who represented the MFDP, also kept in touch with Johnson administration officials and responded, in the manner of Dr. King, with his own form of pressure. After the president had Walter Reuther and Hubert Humphrey ask him to drop his efforts on the party's behalf, Rauh told Humphrey "if I get out, the National Lawyers Guild fellows are going to take this fight over and they're going to be really wild. You guys just don't know. At least you've got a sensible guy here."[82]

Nearly all of the information gathered by DeLoach's squad on the Mississippi activists and their strategies and allies, much like the information gathered by the administration's other sources, had a political slant. The FBI supplied the type of information President Johnson craved. What would King and Rauh do if the president met with them? What did the movement think about the possible vice-presidential nominees? Would the MFDP accept the compromise engineered by Oregon Congresswoman Edith Green? Was New York Congressman Adam Clayton Powell, Jr., carrying a revolver on the boardwalk? What was the NAACP up to? Why was CORE planning to picket the office of Charles Diggs, the black congressman from Detroit? Although they were not always right, DeLoach and his team always had an answer.[83]

Among other services, DeLoach convinced White House aides Bill Moyers and Walter Jenkins, through "counseling," to support changes in procedures for granting admission to the convention floor. This enabled the FBI to "preclude infiltration of the illegal Mississippi Freedom Democratic Party (MFDP) delegates in large numbers into the space reserved for the regular [all- white] Mississippi delegates." Through other "counterintelligence efforts, Jenkins, et al., were able to advise the President in advance regarding major plans of the MFDP delegates." Because the FBI overheard a number of congressmen, state governors, and other prominent political figures on the various taps and bugs in use during the convention, DeLoach furnished intelligence that ranged far beyond MFDP strategies.[84]

"It was obvious that DeLoach wanted to impress Jenkins and Moyers with the Bureau's ability to develop information which would be of interest to them," special agent Bill D. Williams conceded. On one occasion, during a lengthy telephone conversation with Jenkins, DeLoach "appeared to be discussing the President's 'image.' At the end of the conversation [the assistant director] told us something to the effect, 'that may have sounded a little political to you but this doesn't do the Bureau any harm.' " "[I was merely keeping] Jenkins and Moyers constantly advised by telephone of minute by minute developments," DeLoach explained. "This enabled them to make spot decisions and . . . adjust Convention plans to meet potential problems before serious trouble developed."[85]

When DeLoach returned to the seat of government on August 28, Jenkins called Hoover to let him know the president "thought the job the Bureau had done in Atlantic City was one of the finest [he] had ever seen," that "there were a lot of bad elements up there and because of the work some of the Bureau people did [the administration] knew exactly where they were and what they were doing." Upon hearing this, the director recommended DeLoach for "a meritorious award." A few days later, on September 10, DeLoach thanked Moyers for his "very thoughtful and generous note concerning our operation. . . . It was a pleasure and a privilege. . . . All the boys that were with me felt honored in being selected for the assignment. . . . I'm certainly glad that we were able to come through with vital tidbits from time to time which were of assistance to you and Walter."[86]

The FBI continued to monitor the Mississippi Freedom Democratic party in the aftermath, even as party activists returned home to prepare for the elections and to suffer continuing harassment at the hands of the white resistance. October 21 was a typical day in the town of Marks: "Campaign worker forced off highway, beaten by 4 whites and urinated upon: suffered concussion." Things had not changed much since June 21. The Klan still rode strong. Johnson administration officials, for their part, ignored the defection of most of the Mississippi delegates recognized by the credentials committee in Atlantic City to Barry Goldwater in the November elections. The administration continued to view the MFDP as part of the "leftist elements of the civil rights movement," and the FBI continued to feed that view by sending alarmist reports on the party to the White House. "There was a fear in this country of ordinary people havin' power," Freedom Democractic party chairman Lawrence Guyot said. "And there was no better illustration of that in American history than sharecroppers, and day laborers, and beauticians, and barbers, and preachers, sittin' and sayin' to the president and everybody else in the Democratic party, 'NO.' "[87]

Hoover helped Johnson achieve his goals in Atlantic City, but

the president paid a price for his success. Joe Rauh said the civil rights movement never quite trusted LBJ after August 1964. Theodore H. White had once described LBJ as the man who made "the matter of race relations again a subject for discussion and legislation in Washington." And Johnson helped bring the country the Civil Rights Act of 1964 in the middle of Freedom Summer. "Lincoln struck the shackles off the slaves," Virginia Durr contended with a rhetorical flourish that nonetheless contained a kernel of truth. "Lyndon struck the shackles off the South." But Atlantic City was not forgotten. Fifteen years later, Edwin King said the spying was "led by Lyndon Johnson, endorsed by some of the most respectable people like John Doar," and not much different from "the kind of things for which we impeached [sic] Richard Nixon." Roy Wilkins noted the "lasting sense of grievance" that followed Atlantic City, the "terrible damage to relations between white liberals and black organizers in the South."[88]

On the eve of the next Democratic National Convention in 1968, William Connell, an aide to Hubert Humphrey, asked Hoover to assemble another Atlantic City-type team and "do the same thing for the Vice President out in Chicago." The director said it was already in the works. The assistance actually provided was neither so pervasive (in part because Attorney General Ramsey Clark refused to authorize wiretaps in Chicago) nor political (in part because "Hoover was friendly with Nixon and supported his candidacy"). The Jackson field office, however, did send seven informants to cover the Chicago convention—assigning five of them to the Loyal Democrats of Mississippi, a coalition group whose members included MFDP representatives. This time, the Loyal Democrats successfully challenged Mississippi's segregated delegation after a stormy convention floor fight, thus enabling three of the FBI informers to sit in the convention hall and vote as delegates or alternate delegates.[89]

Back in Mississippi during the summer of 1964, the FBI hung a picture of the director in its new Jackson field office. In their own office nearby, SNCC hung a sign that read:

> There is a place in Mississippi called Liberty
> There is a department in Washington called Justice.

The disillusioned SNCC people hung that sign and wondered whether they should carry guns. After Klansmen firebombed the home of one of the black farmers who worked with SNCC to register voters in Holmes County, the farmer said "I got a automatic shotgun, Remington, twelve gauge, them high-velocity buckshot. So I jumped up and run out and turn it loose a time or two." Julian Bond remembered the farmer, who served as a Freedom party delegate in Atlantic City, and the debate in SNCC about carrying guns. "This old guy, Hartman Turnbow . . . He used to carry an army automatic in a briefcase and it's funny to see a man who looks like a farmer and is dressed like a farmer in coveralls and boots and, let's say, an old hat, with a briefcase. And he opens the briefcase and nothing's in it but an automatic." By the time Freedom Summer was half over, most SNCC field workers were carrying guns of their own.[90]

One week after the FBI found the bodies of Michael Schwerner, James Chaney, and Andrew Goodman, Cartha DeLoach met with Roy Wilkins to discuss SNCC and Forman. According to the Crime Records Division account of that meeting, "Wilkins advised . . . that James Forman, whom other Negroes refer to as 'the Commissar,' was actually the man who was in control of SNCC and that John Lewis was merely a front man. . . . Wilkins also felt that Forman had brought Lewis instructions from the CP."[91] Nearly a year to the day after the Philadelphia murders, on June 15, 1965, Attorney General Katzenbach finally acted on such reports, approving Hoover's request for a wiretap on SNCC—because the FBI had identified the group as "the principal target for Communist Party infiltration among the various civil rights organizations." Eventually, Katzenbach would call for the creation of "a militant but peaceful organization of young [black] people which could successfully compete with SNCC."[92]

While the FBI wiretap request made its way back through channels, Neshoba County Deputy Sheriff Cecil Price arrested a volunteer attorney for the Lawyers Constitutional Defense Committee (LCDC), Dennis Seinfield; a law student, J. V. Henry; and a young black man, Richard Tinsley, who had just been bailed out of the Philadelphia jail. When Price released all three men in the early evening, they telephoned Alvin Bronstein, director of the Jackson LCDC office, who asked the FBI to alert the Highway Patrol and to call the sheriff in Philadelphia. When the agent who took the call refused his request, Bronstein asked, "Do I need three more corpses to prove jurisdiction?," hung up the phone, and called John Doar. "It's a shame that Doar yields to such hysterical calls from obviously biased *sources* in these

situations," Hoover wrote, upon learning about the incident and the belated mobilization of his Bureau. "I do not intend that our Agts. waste time and money following out unfounded calls."[93]

That same summer, when responding to Civil Rights Division requests to send more men to Mississippi, the FBI assigned at least a few agents with no civil rights experience but plenty of experience in communist infiltration matters. Hugh Fleischer, who was working on a segregation case in Greenwood at the time, remembered "guys who spent most of their careers watching the Lawyers Guild in Chicago or wherever. That's all they did. This one guy said, 'That's what I do. I watch the Lawyers Guild.' "[94]

Hoover was sending a message to civil rights workers and his own white southern constituents alike: The young people who came to protest the ways of white Mississippi had committed the crime of subversion, a crime worse than the crimes of the Klan on the night when Cecil Price stopped that CORE station wagon. Hoover's message exacerbated the dilemmas created by the Justice Department's own civil rights enforcement strategies. Two months before Schwerner, Chaney, and Goodman died, Burke Marshall noted "the loss of faith in law . . . among Negro and white civil rights workers. The consequences in the future cannot be foreseen."[95] The consequences were easier to see after Freedom Summer. The great majority of SNCC workers never really had that much direct contact with the FBI before Freedom Summer. In the aftermath, they did not remember the job Hoover's agents did in solving the Philadelphia murders or in breaking the back of the Neshoba County Klan. They remembered the Bureau's coldness during those first twenty-four hours after three of their fellows disappeared. They remembered the Bureau as a symbol of the federal government's caution, its interest in splitting the difference between right and wrong.

Seven years after Michael Schwerner, James Chaney, and Andrew Goodman had been buried, Charles Evers asked the FBI field office in Jackson to come to the aid of two Georgetown University students trapped in a barn in Scott County by Klansmen who were throwing a rope over a tree branch. Mayor of Fayette and candidate for governor of Mississippi, Evers telephoned "one of the top brass" and told him "to get some men over there." He stopped talking for a minute before frowning and shouting into the phone: "Listen! I don't give a damn *what* FBI policy is! You can observe and take notes all you want. But if I don't hear about those kids gettin' out safe in ten minutes, I'm goin' down there myself, *with* my bodyguard, *in* my campaign cars! I got forty reporters from all over creation sittin' right out here in the lobby who're gonna go with me. An' they'll tell the whole world how y'all never saved those kids after you were tipped off. Now that'll make one damn fool outa J. Edgar Hoover!" In some ways, white Mississippi changed faster than the director and his FBI.[96]