

# McVeigh Case, Birmingham Bombing: Same FBI!

by Donielle Berg

“Yet they died nobly. They are the martyred heroines of a holy crusade for freedom and human dignity. So they have something to say to us in their death. . . . They say to each of us, black and white alike, that we must substitute courage for caution. They say to us that we must be concerned not merely about *who* murdered them, but about the system, the way of life and the philosophy which *produced* the murderers. Their death says to us that we must work passionately and unrelentingly to make the American dream a reality.”

Those words were spoken in Birmingham, Alabama by Dr. Martin Luther King at the funeral service of the victims, who were killed on Sept. 15, 1963 as they attended Sunday school, by a bomb that exploded at the Sixteenth Street Baptist Church. On May 1, 2001, one of those who murdered the four young girls, Tom Blanton, Jr., was finally convicted, 38 years after the foul crime was committed.

The year 1963 was one of dramatic change within the Civil Rights movement. On Aug. 23 of that year, the world listened as Dr. King give his famous “I Have a Dream” speech in the nation’s capital. In May, the world had watched as Birmingham’s Eugene “Bull” Conner, “Public Safety” director and professed segregationist, after days of arresting thousands of demonstrators—predominantly school-aged children—turned fire hoses and dogs on non-violent protesters. But the crowds grew, especially the youth, as those who no longer could stand the injustice stepped forward and marched. By September, the city of Birmingham, under Federal court order, began limited school desegregation, as Alabama’s Gov. George Wallace boastfully vowed to prevent it.

Bombings were not new to Birmingham: It was known to all as “Bombingham,” and indeed that Summer it had become so. Dr. King sitting in the Birmingham jail, described it as “probably the most thoroughly segregated city in the United States. Its ugly record of police brutality is known in every section of this country. Its unjust treatment of Negroes in the courts is a notorious reality. There have been more unsolved bombings of Negro homes and churches in Birmingham than any city in this nation.” From the late 1940s through the 1960s, approximately 50 racially moti-

vated terrorist bombings occurred, five alone in the April-September 1963 interval. The Sept. 15 terrorist act was the first that tragically ended in murder.

Within weeks of the bombing of the Sixteenth Street Baptist Church, the Birmingham district office of the FBI had four suspects, members of the infamous KKK “Eastview 13 Klavern” known for local terrorist activities against the Civil Rights movement. Despite the 6,000 pages of evidence, several witnesses, and suspects with an openly hostile motive, the first conviction—that of Robert “Dynamite Bob” Chambliss—did not occur until 1977, under the direction of Alabama’s Attorney General Bill Baxley.

## FBI Obstruction, Then As Now

In 1970, the 28-year-old, newly elected Baxley immediately reopened the case, which the FBI had closed without any indictments several years earlier. He was determined to bring the murderers to justice, and he created a special staff dedicated full-time to the investigation of the church bombing. However, no matter how many requests he made to the FBI, no one would release the files. In *Until Justice Rolls Down*, a 1991 book on the Birmingham church bombing, author Frank Sikora explains Baxley’s frustration with the FBI: “By 1973, it was painfully clear that if Baxley were to have even the slimmest chance of breaking the case, he would have to have the FBI files. He had been trying for years to obtain them, visiting FBI offices in Birmingham and Washington, always hitting a stone wall. Once after coming back from Washington, he fumed at his staff: ‘The FBI tells me it’s too busy to be looking up old files. I’ve been up there about 15 times and can’t even see J. Edgar Hoover.’”

When Hoover died in 1972, Baxley’s team hoped the tight grip over the files would be loosened. It was not until 1975, under the newly expanded Freedom of Information Act (FOIA), that the files would begin to be released. Baxley, during one of his trips to Washington, met with an old friend and Alabama native, Jack Nelson, D.C. bureau chief for the *Los Angeles Times*. Nelson had already obtained a handful of the records, and had written a series of articles based on them.

Baxley explained to Nelson the FBI hold-up. Soon afterwards, Nelson went to the head of the Department of Justice (DOJ), U.S. Attorney General Edward Levi, and told him he was planning a story on the withholding of information of this case by the FBI and DOJ, and that Baxley was going to give a press conference with the families of the victims, on the steps of the Justice Department. Within weeks, the FBI delivered boxes and boxes of files to Baxley’s office.

However, even within these files, the names of the suspects and other KKK collaborators had been blacked out. It would take two more years before Baxley would convict Robert “Dynamite” Chambliss, one of the four original suspects. There was not enough evidence to convict the other

three; or, at least that is what Baxley thought. The more recent conviction of Tom Blanton, shed light on the dark reasons for the unnecessary passage of time before justice was served.

### Hoover Suppressed the Evidence

On April 16, 2001, one of the four remaining suspects, Blanton, was finally brought to trial. At the center of this trial was a set of 37-year-old audiotapes, never before heard in public, secretly recorded by the FBI, of Blanton detailing the bombing of the church. What has come to light is that FBI Director J. Edgar Hoover personally intervened to suppress those tapes, and refused to allow his investigators to bring the case to trial, or even turn over any evidence to the Department of Justice. It was not until 1999 that the existence of the tapes was “discovered.”

In a May 3, 2001 *New York Times* commentary, former Alabama Attorney General Baxley expressed astonishment and dismay at the deliberate FBI deception and denial of the evidence which would have convicted Blanton and others in the original 1977 trial, asking, “Why would the FBI aid Klansmen in avoidance of prosecution? . . . How can the FBI justify this to the families of four precious girls?”

The suspicion of Hoover’s direct role in aiding and abetting Klansmen is not new. In 1980, the U.S. Justice Department issued a report detailing Hoover’s direct protection of the suspects of this case and many others, including those responsible for the May 14, 1961 bludgeoning of the Freedom Riders at the Birmingham Trailways bus station. The report is based on the findings of the “Rowe Task Force,” named after paid FBI informant G. Thomas Rowe, Jr., who was a known member of the KKK and who had participated in some of the most violent crimes against Civil Rights activists, many of which were known to the FBI before they occurred. Although the direct role of the FBI is detailed, no action has been taken to clean up this pattern of operations.

Today, once again, the FBI has been caught deceitfully hiding files. The defense team of Timothy McVeigh, convicted in the bombing of the Federal Building in Oklahoma City, was denied over 3,000 pages of FBI documents. Various politicians have begun to cry out for an investigation into the Bureau’s “mishandling of evidence.” Even Alabama’s own Sen. Richard Shelby (R), Chairman of the Select Committee on Intelligence, said those responsible “ought to be brought to task,” adding concern over the FBI role in the recent Birmingham church bombing trial.

However loud the objections and cries for investigations, only a swift and decisive cleanout of the permanent beauracracy of both the FBI and the DOJ will bring about true justice.

The 62-year-old Blanton will remain in prison for the rest of his life, yet Dr. King’s vision of the “American dream becoming a reality” will not happen until the ghost of Hoover is no longer haunting America’s halls of justice.

## ‘Charleston 5’ Fight ‘Southern Strategy’

by Marianna Wertz

On Jan. 17, 2000, some 600 South Carolina police, in riot gear, some on horseback, some in armored vehicles, and some stationed as snipers on rooftops, used concussion grenades and rubber bullets to break up a picket line at the Charleston, S.C. port—America’s most productive port—which was manned by members of the International Longshoremen’s Association Local 1422.

The picket line was in protest against the use of non-union labor, hired by the stevedoring company WSI, to unload goods from a Nordana Lines ship at the port, thereby effectively breaking one of the few union shops in the state. After 23 years as a union shop, Nordana had notified Local 1422 in October 1999 that it was ending its relationship with the union. Non-union laborers hired by WSI earn \$8 per hour with no benefits, while members of ILA Local 1422, almost entirely African-Americans, earn an average of \$25 an hour, with exceptionally good benefits, the result of years of struggle for a living wage.

Today, though Nordana’s union-busting has been stopped, five members of ILA Local 1422 are awaiting trial on charges of inciting and planning to riot. This trial has gained international attention, both because of the police-state tactics involved, and because organized labor in South Carolina is a key target of the Bush-linked financial interests’ “Southern Strategy”—the plan to use the old Confederate states as the American equivalent of the Third World, to recycle the American workforce into lower and lower wages, as the global financial system spirals down.

It was George W. Bush himself who denounced the union and praised the police-state tactics of the South Carolina police, when he campaigned for President in the state last year, just as today his administration is preparing for the use of such tactics against “domestic terrorism” (see “Cincinnati Disturbances Threaten ‘Garden Plot,’ ” *EIR*, April 27, 2001). It was Bush’s South Carolina Presidential campaign chairman, Republican State Attorney General Charlie Condon, who ordered the police to break the picket line, and then intervened in the case to make sure that the “Charleston 5” were indicted on the felony riot charges.

The fight over the fate of the “Charleston 5,” is important not just as a fight for fundamental human rights. It is important because the American South, and especially South Carolina, is fast becoming a place where domestic and foreign auto, steel, and other industries are fleeing, to take advantage