

# The Secret File on M.L. King

On August 2, 1983, the House of Representatives voted to declare the third Monday in January a national holiday to observe the birthday of Dr. Martin Luther King Jr. Since 1969, attempts to have Dr. King's birthday officially memorialized in such an extraordinary way by Congress had failed. But the Senate followed the House's lead on October 19, 1983. January 20, 1986 will mark the first compulsory national observation of the day.

From his first days as an activist, Martin Luther King's activities and associates have been and continue to be centers of controversy. Allegations of King's Communist association have been dismissed by his supporters as examples of "McCarthyism" and "Redbaiting." However, for the sake of truth and historical accuracy, a close inquiry into the affiliations of Dr. King's most intimate involvements and relationships, even in the face of warnings by President Kennedy and Attorney General Robert Kennedy, can not be simply dismissed as political witch-hunting or smear tactics.

It must first be made clear that no responsible critic of Dr. King has ever accused him of being a member of the Communist Party. Furthermore, these critics certainly recognized that Dr. King had every right to take advice from and associate with whatever political elements he chose. The objection held by most who opposed a national holiday commemorating King's birthday was that if he was to be the only American so singularly honored (what was formerly George Washington's Birthday is now designated "President's Day" to honor all Presidents), a thorough inquiry into his private and public life — both of which were filled with controversy — would have to be made. To do otherwise would lead to a demeaning of all Americans and a disservice to historical accuracy. Until all allegations concerning Dr. King are fully answered, the Martin Luther King Jr. holiday will remain the occasion for suspicions about the man it is meant to commemorate.

Leading the forces opposed to the King holiday, Republican Senator Jesse

Helms of North Carolina made some serious accusations linking Dr. King to Communist Party members, former members, and operatives. According to Helms, such unsavory individuals were taken into Dr. King's confidence and became some of his closest advisors. Through King, Helms theorized, the Communists would have attempted to manipulate the civil rights movement and create an atmosphere of fear and hatred between blacks and whites that would erupt in racial warfare and destabilization. If the Senator's allegations are indeed true, then it must be concluded that King was unwittingly or passively allowing himself to be used for violent goals far removed from what he publicly preached.

During a speech on the Senate floor, Senator Helms revealed that in the early 1950s, the Federal Bureau of Investigation recruited two former high-ranking Communist Party members, Morris and Jack Childs, to serve as informants on the party's secret activities and sources of funding. Code-named Operation Solo, the FBI investigation lasted until 1980, during which time it was learned through Jack Childs, that the Soviet gov-

ernment funded the Communist Party USA to the tune of approximately \$1 million per year. This funding clearly made the CPUSA an illegal American branch of the Soviet government. Informant Jack Childs also reported to the FBI, in 1953, that New York attorney Stanley David Levison was not only knowingly being used as a conduit for Soviet funds, but also assisted in managing the secret party coffers. Levison was introduced to Dr. King by Bayard Rustin, a King associate, in the summer of 1956.

Levison would later be described by King's widow, Coretta Scott King, as a "devoted and trusted" friend of her husband. Levison assisted King in organizational matters and political strategy, wrote some of his speeches, and advised in hiring personnel to staff King's Southern Christian Leadership Conference (SCLC). According to Senator Helms, "There is no evidence that Levison broke with the CPUSA . . . Levison had been involved not as a rank-and-file member [of the CPUSA] but as an operative involved with clandestine and illegal funding of the CPUSA by a hostile foreign power."

After the FBI informed Attorney Gen-



Rev. King is the only American citizen honored with a national holiday

eral Robert Kennedy of Dr. King's affiliation with Levison, King was advised in January 1962 by the Attorney General to sever his relationship with Levison. The advice went unheeded. In May of 1962, Levison wrote the speech King delivered to the convention of the United Packinghouse Workers of America. A year later, still having failed to act on the Attorney General's advice, King again was personally warned about his involvement with subversives — this time by President Kennedy himself, who told the civil rights leader: "They're Communists. You've got to get rid of them."

Another Communist to whom President Kennedy was specifically referring was Hunter Pitts O'Dell, alias Jack H. O'Dell, hired by King to work as his executive assistant in the SCLC at the urging of Levison. O'Dell had Communist ties going as far back as the 1940s. In 1956, he was questioned by the Senate Subcommittee on Internal Security about his work on behalf of the Communist Party in New Orleans. Four years later, he was questioned by the House Committee on Un-American Activities. On both occasions he refused to answer the committee's questions. According to government sources, O'Dell was a member of the National Committee of the Communist Party as of 1959.

After his meeting with President Kennedy, King accepted O'Dell's resignation from the SCLC. But intelligence sources reported that O'Dell continued to work out of SCLC's offices advising and influencing Dr. King. He formally rejoined the SCLC staff in 1970.

It should be noted in passing that, from 1980 to 1983, O'Dell was listed as a member of the World Peace Council, probably the best-known and most influential Soviet front organization operating in the West. Furthermore, as of 1984, O'Dell was in charge of international affairs for Democratic presidential candidate Jesse Jackson's Operation PUSH (People United to Serve Humanity).

As for Stanley Levison, after King had received a second warning to avoid him, the two men agreed that they would communicate solely through an intermediary named Clarence B. Jones. This clandestine method of communication went on from 1963 to 1964 and is by itself a very powerful indictment of Martin Luther King's all too willing collaboration with agents of Communist subversion.

It should be reiterated that no evidence has been found to prove that King was himself a Communist. Nonetheless, if a national holiday had been proposed to honor a white person who had maintained advisors affiliated with such anti-American groups as the Ku Klux Klan or the National Socialist White Peoples' Party (Nazis), would there not be ample cause — and even a duty — to oppose the move?

King's support for causes and events sponsored by the Communist Party or one of its front groups must also be considered in light of his national holiday. In late 1962, he addressed a meeting of the National Lawyers Guild, which was officially cited as "the foremost legal bulwark" of the CPUSA. It was also affiliated with the Soviet-controlled International Association of Democratic Lawyers. Either King did not bother to check the background of the NLG before appearing at its functions, or he simply decided to overlook its clear CPUSA affiliation.

With the above evidence to back them up, the FBI and its Director, J. Edgar Hoover, requested and were granted permission by Attorney General Robert

Kennedy to maintain surveillance, including wiretaps, on Dr. King's offices and hotel rooms from 1963 until his murder in 1968. That surveillance produced so many transcripts of wiretaps that, together with testimony from witnesses and informants, it filled almost fourteen cabinet files.

King supporters claim that the FBI's surveillance on King was illegal. But the precedent for it was President Roosevelt's 1940 Executive Order authorizing such surveillances, with the written consent of the Attorney General, in cases affecting national security. No court ever ruled against the procedure in such cases.

Did Martin Luther King's surveillance involve matters of national security? It must be remembered that King at the time was being advised by a man who had been in charge of laundering Soviet monies destined for the CPUSA. It must also be noted that the early 1960s marked the beginning of what would be a particularly unstable decade in American history. Based on these facts, one can hardly call the FBI surveillance frivolous or unwarranted.

In 1976, the staff of the Senate Intel-



**Attorney General Robert Kennedy (L.) and President John Kennedy (R.) fruitlessly warned Dr. King about his association with Communists**



**Communist Carl Braden helped King to polarize Americans**



**King urged Communist Anne Braden to join his organization**



**Communist Hunter Pitts O'Dell: fired by King, rehired elsewhere**

ligence Committee concluded that the FBI surveillance of Dr. King amounted to harassment. Based on the committee's findings, the SCLC and former King aide Bernard Lee filed a suit against the United States government asking for monetary damages and requesting that the tapes and files on Dr. King be destroyed. On January 31, 1977, Federal District Judge John Lewis Smith Jr. declined to award monetary damages to Lee and the SCLC but ordered all of the FBI tapes and transcripts of surveillance on King to be sealed in the National Archives for fifty years. Although not a complete victory for the pro-King forces, the sealing of the critical tapes would in the long run make it easier to have the King holiday approved by Congress.

The history of the King holiday bill reveals that extraordinary measures were undertaken to rush it into law. In 1979, for example, supporters of the holiday in the House failed to obtain the two-thirds majority required to suspend the rules, which would have limited debate and prohibited amendments. On July 29, 1983, Democratic Representative Katie Hall of Indiana reintroduced the King bill. After the measure was assigned to

a House committee, the King forces gathered enough strength this time to suspend the House rules and send the bill to the floor. Four days after it was introduced, the bill was passed by the full House. In the Senate, Republican Majority Leader Howard Baker of Tennessee refused to send the bill to a committee, as is usually the case with any important piece of legislation, but instead put the bill directly on the Senate calendar. On October 18, 1983, in an attempt to have the King files released from the custody of the National Archives, Senator Helms and others requested that the seal order of 1977 be overturned. But Judge Smith refused to reverse his earlier decision.

Critics of Helms accused the Senator of trying to smear King by requesting that the FBI files be opened. But, in a well-argued emergency motion filed with the Supreme Court on October 19, 1983 on behalf of Helms and Republican Senator Steven Symms of Idaho, attorneys Lawrence Straw and William J. Olson noted that "legislation is pending which seeks to elevate Dr. King to the status of a national hero, on a level above our founding fathers whose birthdays have not been elevated to the status of a na-

tional holiday. Dr. King would thereby, become a role model for future generations. In extraordinary circumstances such as these, a Senator must have access to all records which could relate to that person's character and the principles espoused by him. The constitutional duty of a member of the United States Senate is to thoroughly and dispassionately review all information which could influence his vote, debate that information on the Senate floor, and then cast a vote in accordance with his analysis of the information."

The attorneys also questioned whether Judge Smith was acting within his constitutional authority when on the previous day, he refused the Senators access to the tapes. Since the surveillance order on King was not in violation of the law and had come from the Executive Branch, it must be accepted that only the President could order the FBI to seal the tapes. In addition to the federal courts overstepping their constitutional authority, the attorneys argued that if the sealing order was not lifted, then the Judicial Branch would in effect have the authority to control the Legislative Branch's access to vital information pertaining to its



With Dr. King at the 1957 Highlander School were known Communists Abner Berry and Aubrey Williams

congressional duties, thereby violating that branch's constitutional independence. Finally, the attorneys made what could turn out to be a prescient observation, declaring: "Any injury which occurs will undeniably be irreparable. Once a bill has been signed into law, later disclosures of information which might have influenced the legislators or the President in their consideration cannot void a law which has been passed."

Those who continue to hold that the King surveillance was illegal should note the 1977 case of *McSurely versus McClellan* in which the District of Columbia Court of Appeals ruled that in the course

of carrying out their constitutional duties, Congressmen have the right of access to information, even if it is illegally obtained. Although King supporters have the holiday they have long pushed for, the questions and doubt will surely never subside as long as the sealed tapes remain hidden.

Why were the King tapes sealed? If indeed King had no subversive or politically embarrassing affiliations — a claim that has been disproven countless times — why not simply make the tapes available to the public and clear the air? Apparently King did have something to hide. Warned by the highest authorities in the federal government that his key contacts were CPUSA operatives, he undertook secretly to continue his relationship with these persons. It would be naive to assume that King gave his support to leftist activities unknowingly.

America could be in for a rude awakening on Monday, February 1, 2027, when the King tapes are unsealed and the nation listens in horror, realizing at last that the man they will have been honoring for 41 years was in effect a pawn, unwittingly perhaps, but a pawn nonetheless in an attempt to use members of his race not for their own advancement, but for the violent polarization of Americans along racial lines.

What almost must be said about the King record is that, apart from whatever may be in the sealed files, enough information about his associations with subversives is known to cast grave doubt on

his character. He was intimately involved with Communists Levison and O'Dell, and he cooperated with other Communists such as Carl and Anne Braden. In September 1957, he attended and spoke at a training school in Tennessee with several top Communists. He accepted funds from identified Communist front groups such as the Southern Conference Education Fund. And former FBI undercover operative Julia Brown — who reported on Communist Party activities for an entire decade until 1960 — testified before the Senate Judiciary Committee in 1979 that "the [Communist] cells that I was associated with in Cleveland were continually being asked to raise money for Martin Luther King's activities and to support his movement . . . while I was in the Communist Party, as a loyal American Negro, I knew Martin Luther King to be closely connected with the Communist Party . . ."

Liberals, Communists and their sympathizers everywhere have won a great victory with the creation of an official King holiday. The measure authorizing it should be repealed. As a first step toward this and toward repairing the soiled image of America that the creation of this holiday has caused, the King files should be opened and made available to Congress.

Anyone who loves America and reveres truth should join in demanding of the appropriate authorities that they "Free The Files!" ■

— EVANS-RAYMOND PIERRE

### About the Author

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