

Was he an FBI Informant?

The Framing of Ernest Withers

By Daniel Wolff

Which side are you on? This was the distinguishing question of the labor movement and the civil rights movement too. And I never doubted the answer of my friend and collaborator, the great African-American photographer Ernest Withers. Friends with Dr. Martin Luther King Jr., Medgar Evers, and other leaders, Withers covered the movement from Emmet Till's trial in 1955 through the Poor People's March in 1968, making images that have been called "supreme examples of photography being used to enact social change."

So, when a headline in the *Memphis Commercial Appeal* on September 12 of this year proclaimed Withers an "FBI mole" – and Marc Perrusquia's story was picked up nationally and internationally – I wanted to know the facts. Was he, as the *New York Times* said in its "Week in Review," "for many years ... a paid informant," "a guy," as Dick Gregory told the *Washington Post*, "hired by the FBI to destroy us"? And was this, as the *Memphis* paper wrote, "a covert, previously unknown side of the beloved photographer?"

The answer to the last turns out to be a clear No: Withers had discussed his relationship with the FBI in a published interview he gave in 2000.

"...I always had FBI agents looking over my shoulder and wanting to question me. I never tried to learn any high-powered secrets. It would have just been trouble.... I was solicited to assist the FBI by Bill Lawrence who was the FBI agent here. He was a nice guy, but what he was doing was pampering me to catch whatever leaks I dropped, so I stayed out of meetings where real decisions were being made."

The implication here is that – as a well-known and connected Memphian who was friendly with local and national civil rights leaders – Withers was under constant pressure from the FBI. Reaction to the story indicates this was pretty common at the time. Journalist and professor Earl Caldwell told the *PBS News Hour* that the FBI "hounded" newsmen, "They were always asking everybody." One of the founders of the Student Nonviolent

Coordinating Committee, Julian Bond, told the *Washington Post*, "Lots of people talked to the FBI and did so innocently." And that paper's columnist, William Raspberry, added, "Sometimes you have to throw them a little something to get them off your back."

So, what did Withers throw his inquisitors? The original story in the *Memphis Commercial Appeal* implied the worst: "Withers shadowed King the day before his murder, snapping photos and telling agents about a meeting the civil rights leader had with suspected black militants." The sinister insinuation here is that Withers' behavior may have somehow been connected to the shooting.

I went through the relevant FBI files as provided by the *Commercial Appeal*. I found no suggestion that Withers was

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dropping "any high-powered secrets" about Dr. King. For example, he apparently told the FBI that Dr. King was staying at the Lorraine Motel in Memphis. But that was where the leader – and just about every other prominent black out-of-towner – stayed when in town. And it had been reported in major newspapers. As to his "shadowing" his old friend, isn't that a photographer's job?

Repetitious and often unclear as to sources, the files show Withers talking with the FBI not "for many years" but between 1968 and 1970. And the photographer focused not on Dr. King but on a small group of "suspected black militants" called the Invaders. To understand why, it helps to recall the political situation.

By 1968, the nonviolent movement was sputtering, dismissed by many as old-fashioned and ineffective. One of the reasons Dr. King agreed to go to Memphis was to drum up support for his upcoming Poor People's March on Washington.

He was told the sanitary workers strike had produced "the broadest coalition ever in Memphis," including dozens of African-American ministers and community leaders, as well as representatives of the Invaders.

On March 18, 1968, Dr. King spoke to 15,000 people at the Mason Temple, urging them to adopt the strategy of a "general work stoppage" and promising to return to lead a protest march through the city's streets. When he came back ten days later, the march only lasted twenty-five minutes before it disintegrated into "wild looting." Two hundred eighty people were arrested, 60 hospitalized, and one killed. For Dr. King, it was a savage disappointment. "Maybe we just have to admit," he told his advisors afterward, "that the day of violence is here."

Trace what Withers leaked to the FBI, and it seems that the photographer, too, was concerned about the threat to the nonviolent movement.

Almost all the FBI reports that cite Withers are about the Invaders. He didn't think them capable of much action but was concerned that they were trying to "scare and blackmail the community." He worried that the group's violent rhetoric might continue to hurt Dr. King's reputation. And that, in turn, would help the FBI discredit the leader. Indeed, Taylor Branch's Pulitzer Prize winning biography of Dr. King notes that the trouble in Memphis was "a godsend to the FBI." The next day, J. Edgar Hoover's agency told "cooperative news sources" that Dr. King's brand of protest would only lead to "vandalism, looting and riot."

In fact, a Memphis police officer had infiltrated the Invaders a while before the march. And a Congressional investigation later looked into the question of whether the looting might have been provoked by the infiltrator. Withers appears to be the source who told the FBI that only 1 per cent of the marchers had looted, that the violence didn't seem organized, and that the Invaders had *not* played a leading role.

Feeling the need for the "rehabilitation" of his movement, Dr. King returned in early April to show that nonviolence could work in Memphis. Only a couple of thousand people were in the Mason temple on April 3 to hear his famous speech, announcing he'd been to the mountain and seen the promised land. The next

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day, he was killed.

Withers continued to provide information, mostly on the Invaders, until January 1970. Then, he apparently told the FBI, "The Invaders for all practical purposes is a dead organization..." And his days of dropping leaks ended.

Was Withers on the agency's payroll? The original *Commercial Appeal* story states that "experts" believe he "fits the profile of a closely supervised, paid informant." Only one expert is cited, author Athan Theoharis. There's no evidence in the FBI files that Withers was either paid or supervised: no cashed checks, no orders to infiltrate this or that event. Yet, by the time the story makes the front page of the *New York Times*, this appears as fact: "He was a paid FBI informant."

In the over 7,000 pages of FBI reports the *Commercial Appeal* consulted, almost all the information attributed to Withers is from meetings open to the general public, or was already widely known. For example, where the *Commercial Appeal* declares that Withers provided the FBI with "a virtual directory of strike-support organizers," the document turns out to be a newslet-

ter available to anyone who asked.

What these previously secret files do confirm is that the FBI, not Withers, was out to get Dr. King. One report characterizes the civil rights leader as "a confirmed Marxist." The agency is eager for all rumor and innuendo. And the white, mainstream media joined in the bashing: after the looting, the Memphis *Commercial Appeal* questioned the leader's courage in an editorial it entitled "Chicken a la King."

Four decades later, the *Commercial Appeal's* front-page "exposure" of Ernest Withers has some of the same elements of character assassination. Its follow-up editorial declares that in April 1968, "... the FBI had an on-the-ground insider to keep them informed of King's activities. That informant, according to Federal sources, was Ernest Withers." Except the documents don't support that. The FBI had a real insider who traveled with Dr. King, sat in on important meetings, and knew about the movement's finances. That informant has repeatedly been identified as the comptroller of the Southern Christian Leadership Coalition. Withers didn't have that kind of access and, per

his own statement, didn't want it.

Did Ernest Withers "drop leaks" to the FBI between 1968 and 1970? Yes. Were they "high-powered secrets" that undermined Dr. King's civil rights movement? No, not according to the FBI records released so far. Was the photographer paid and closely supervised? There's no evidence of that.

That said, the damage to Withers' legacy may already be done. To some, any contact with the FBI is unforgivable; it may even affect their judgment of his extraordinary photographs. But the facts prove more complicated than that, reflecting the tremendous pressures of the civil rights era. In the battle between J. Edgar Hoover's FBI and Dr. King's movement – between those who tried to suppress our rights and those who fought for them – nothing in these files shakes my belief about which side Ernest Withers was on. **CP**

Daniel Wolff collaborated with Ernest Withers on *The Memphis Blues Again* (Viking Studio, 2001) and *Negro League Baseball* (Harry N. Abrams, 2004). He can be reached at ziwolff@optonline.net.