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'56 Meeting Here Helped Shape U.S.

FBI Files Show Hoover, Thurgood Marshall at Intersection of

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Race Relations *Indomitable Political Forces*

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On Feb. 8, 1956, top aides to FBI Director J. Edgar Hoover hurriedly prepared for an unexpected visit by a man they considered a foe and who they knew mostly through reports of gossipy informants.

Thurgood Marshall, then the nation's preeminent civil rights lawyer and frequent critic of the FBI, had called to announce he was coming to Washington the next day and needed to see Hoover. According to recently released FBI documents, Marshall said he was worried about communist infiltration of the civil rights movement.

Hoover had once denounced Marshall's "obvious hostility" to the FBI, but that day Hoover decided the agency would welcome his adversary. In a flurry of memos, distributed in triplicate, Hoover's aides then plotted how they would keep Marshall busy, probing him for information, sharing some of theirs, until they could determine "if the situation developed where it would be desirable for the Director to say hello to him."

The bureaucratic accounts of this episode and many others contained in Marshall's FBI files offer an unprecedented glimpse of the dealings

between two powerful figures worlds apart in origins, character and beliefs and who spent decades using each other to gain advantage for their differing agendas.

By 1956 Marshall was well on his way to reshaping civil rights in America, as an advocate who would argue 32 cases before the Supreme Court and then as a justice. Hoover was busily expanding the FBI's role as a watchdog against political subversives. Their relationship, as it emerges in some 1,300 pages of FBI documents released this month, illustrates how two indomitable political forces—anti-communism and the push toward racial equality—intersected in the 1950s in ways that shaped U.S. history.

Marshall's call for an appointment with Hoover came at a tense time.

That day President Dwight D. Eisenhower, still recovering from a heart attack five months earlier, had put off announcing whether he would run for a second term. In Moscow an increasingly assertive Soviet leader, Nikita Krushchev, pressed the choice between "peaceful coexistence" or nuclear war. Cold War

conflicts brewed from Suez to Saigon.

And, in Montgomery, Ala., that winter a 26-year-old minister named Martin Luther King Jr. was rising to national prominence by leading the city's African American community on a boycott of segregated buses—in defiance of the patient, legalistic approach to civil rights advocated by Marshall.

On the morning of Feb. 9, 1956, Marshall came to Washington by train from New York, where he lived in Harlem and worked as director of the NAACP Legal Defense and Education Fund. When he stopped for lunch, an FBI official was there to watch him, introduce himself and strike up a conversation, then report back right away.

The FBI files, released under the Freedom of Information Act, are heavily censored and incomplete, and do not contain a detailed account of Marshall's visit to FBI headquarters except to indicate he had lengthy conversations with some of Hoover's closest and most trusted assistants. It is not clear whether Marshall saw Hoover, but many documents suggest this visit, apparently the only time Marshall went to FBI headquarters, proved to be something of a turning point in their relationship.

Previously both men had spoken harshly of each other.

In 1947 Marshall wrote Attorney General Tom C. Clark complaining that while the FBI had shown great skills at catching "vicious spies and saboteurs, who are trained in the methods of evading identification and arrest," in cases of lynching and other mob actions, "the FBI has been unable to identify or bring to trial persons charged with violations of federal statutes where Negroes are the victims."

Hoover replied to Clark, his boss, with a memo twice as long that accused Marshall of being "most careless as to . . . the facts in the charges which he makes against the FBI."

Several months later Hoover's office produced for internal use a 14-page profile of Marshall that sketches his biography in a few paragraphs, and then lists in great detail unconfirmed allegations by informants who said Marshall was a communist sympathizer, a member of "front organizations" and a "fellow traveler" in the parlance of the day. The rest of the report is a lengthy refutation of Marshall's complaints against the

FBI. The profile makes no mention of Marshall's Supreme Court victories or his role as the architect of a civil rights strategy that focused on legal action and that was based on a profound faith in the Constitution.

Hoover's hostility toward Marshall was so profound and so petty that the unverified allegations from the profile were repeated not just in numerous FBI reports but also circulated among law enforcement officers in the South in a position to hurt Marshall politically and personally.

However, after Marshall's visit to FBI headquarters, something changed. Instead of dismissing Marshall's complaints of FBI inaction in civil rights cases, Hoover insisted his agents look into a new incident Marshall had mentioned that day.

A few months later, the FBI director took even more decisive action. Marshall was launching a desegregation lawsuit against the Dallas public schools when the African American students he had recruited as complaining parties were rounded up by the Texas Rangers in a blatant attempt to intimidate them into abandoning Marshall's efforts.

When Marshall reported this to the Justice Department, Hoover ordered an all-out effort to track down the offending Rangers. Top FBI officials went to the governor and attorney general of Texas to tell them a full federal investigation was underway. Agents worked with Marshall to find the students and protect them from further pressure tactics.

With the FBI's presence as one of several key factors, Marshall fought off the Texas authorities and pressed ahead with the lawsuit. The FBI files track years of legal and political battles and then conclude with a note that reads simply, "Negro students entered previously all white schools in Dallas for the first time on 9/6/61."

The FBI was not always so cooperative with civil rights efforts but in the late 1950s and early 1960s it sometimes provided a source of justice and of protection to activists who had to contend with the hostility of southern sheriffs.

On Marshall's side, the changes that followed the 1956 meeting were less dramatic. Like several of his colleagues in the leadership of the NAACP, Marshall had been an outspoken anti-communist for many years despite what FBI informants, some devoted segregationists, had to say about him. But after his visit

to Washington, Marshall made a point of informing Hoover's aides about his efforts to counter leftist infiltration of the civil rights movement and occasionally asked their advice about how to proceed.

For example, before he gave the keynote address to the NAACP annual convention in September 1956, Marshall called the FBI to get intelligence on recent communist activities in African American circles. He then delivered a speech that moved the convention to denounce communism as an enemy of the civil rights struggle.

Aside from simple ideology, several tactical motives help explain Marshall's vociferous anti-communism, according to Jack Greenberg, one of Marshall's closest associates, who wrote an account of the NAACP's legal campaigns, "Crusaders in the Courts."

In the South it became "a convenient, or perhaps a reflexive reaction" for segregationists to claim communists controlled the NAACP and thus dismiss demands for equality as a subversive threat, Greenberg wrote.

Civil rights leaders had dealt with such accusations for a long time, but after Marshall's victory in the 1954 *Brown v. Board of Education* Supreme Court decision, striking down the doctrine of "separate but equal," it became increasingly important to win broad public support for a systematic attack on segregation.

To insulate themselves politically, Marshall and his colleagues even jettisoned white leftists who had supported the civil rights movements, preferring to preserve their gains rather than join the battle to defend civil liberties against the excesses of anti-communist zealots. Moreover, Marshall and his colleagues decided they needed help from the nation's top anti-communist.

According to Greenberg, Marshall and his colleagues at the NAACP believed they could convince Hoover that "one way to fight communism was to support racial equality by supporting us." Even if Hoover never converted to the civil rights cause, Marshall decided the FBI director would lend a hand occasionally to advance the anti-communist cause.

"The Association and Hoover were using each other," Greenberg concluded.