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It Can Happen Again: Covert Government Programs to Discredit Martin Luther King and Other Dissenters Show Dangers of NSA

By Miles Mogulescu

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"Those who cannot remember the past are doomed to repeat it." -- George Santayana

On October 10, 1963, less than two months after Martin Luther King's "I Have a Dream Speech" electrified the nation, US Attorney General and "liberal" icon Robert F. Kennedy authorized the FBI to wiretap Dr. King's phones on the grounds that Dr. King and his advisors were a national security threat. Historian David Garrow [called](#) RFK's order "one of the most ignominious acts in modern American history".

But this was just the tip of the iceberg in a decades-long government campaign of wiretapping, spying, black bag jobs, infiltration, harassment, and disruption against Americans exercising their Constitutional right to redress their grievances, including the civil rights movement, the anti-war movement, the student movement, as well as conservative organizations.

Given the recent history of clandestine government operations against American citizens like Martin Luther King, there's good reason to be worried about the future of liberty in America when we learn from whistleblowers like Edward Snowden that the NSA is storing metadata on the electronic communications of virtually every American.

Moreover, modern technology has geometrically expanded the government's ability to collect data on American citizens and, if it so chooses, to use it to disrupt and discredit those who disagree with its policies, beyond the wildest imagination of government agencies who carried out clandestine activities against American citizens in the '60s and '70s.

It would be the height of naiveté to think that because Barack Obama -- whom, like Bobby Kennedy, is considered a "liberal" -- is currently President, this technology would never be used

to infringe on and suppress Constitutional liberties. Quite the opposite. If they build it, sooner or later they will likely use it.

As a top government surveillance official testified to a [US Senate Select Committee](#) chaired by Sen. Frank Church (known as "The Church Committee") in 1975, the tendency of such domestic spying activities is

"...to move from the kid with a bomb to the kid with a picket sign, and from the kid with a picket sign to the kid with a bumper sticker of the opposing candidate. And you just keep going down the line."

The secret national security state, with at least the acquiescence and perhaps the encouragement of Barack Obama, is laying the foundation for a potentially repressive government, in which the Constitutional liberties on which America was built would be largely a sham.

THE GOVERNMENT'S CAMPAIGN TO DESTROY MARTIN LUTHER KING

Martin Luther King may now be seen as a national icon with his own National Holiday, praised by everyone from Barack Obama to Glen Beck. But during most of his public life, Dr. King was viewed by much of the government as a national security threat who must be spied on, disrupted, and discredited.

In 1962 FBI Director J. Edgar Hoover wrote a memo stating, "King is no good". The day after the "I Have a Dream Speech, the head of FBI intelligence operations William Sullivan wrote to Hoover,

"In the light of King's powerful demagogic speech yesterday...[w]e must mark him now, if we have not done so before, as the most dangerous Negro of the future in this Nation from the standpoint of communism, the Negro and national security".

Less than 2 months later, Bobby Kennedy signed the order authorizing "an unlimited electronic surveillance of King and of the SLCC [King's organization's] headquarters." According to Tim Weiner's book [A History of the FBI](#),

"The bugs got quick results. When King traveled, as he did constantly in the ensuing weeks...the bureau planted hidden microphones in his hotel rooms. The FBI placed a total of eight wiretaps and sixteen bugs on King...The telephone taps largely recorded King thinking out loud, planning the civil rights movement, weighing tactics and strategy."

According to the [Church Committee Report](#),

"The FBI's program to destroy Dr. King as the leader of the civil rights movement entailed attempts to discredit him with churches, universities, and the press. When the FBI learned that Dr. King intended to visit the Pope, an agent was dispatched to persuade Francis Cardinal Spellman to warn the Pope about 'the likely embarrassment that may result to the Pope should he grant King an audience.' The FBI sought

to influence universities to withhold honorary degrees from Dr. King. Attempts were made to prevent the publication of articles favorable to Dr. King and to find 'friendly' news sources that would print unfavorable articles. ...The campaign against Dr. King included attempts to destroy the Southern Christian Leadership Conference by cutting off its source of funds...The IRS files on Dr. King and the SCLC were carefully scrutinized for financial irregularities."

In perhaps the government's most notorious attempt to disrupt and destroy Dr. King and the civil rights movement,

"The FBI mailed Dr. King a tape recording [which was opened by his wife, Coretta Scott King] made from its microphone coverage. According to [William Sullivan] the Chief of the FBI's Domestic Intelligence Division, the tape was intended to precipitate a separation between Dr. King and his wife in the belief that the separation would reduce Dr. King's stature. The tape recording was accompanied by a note which Dr. King and his advisors interpreted as a threat to release the tape recording unless Dr. King committed suicide."

Some excerpts from the FBI letter:

"King, look into your heart. You know you are a complete fraud...King, like all frauds your end is approaching...Satan could not do more. What incredible evilness...King you are done...[T]here is only one thing left for you to do. You know what it is...There is no way out for you. You better take it before your filthy, abnormal fraudulent self is bared to the nation."

OTHER GOVERNMENT PROGRAMS TO SUPPRESS DISSENT

The government's attempt to destroy Dr. King as the leader of the civil rights movement, was only the tip of the iceberg of a decades-long FBI program known as COINTELPRO designed, as the Church Committee later described it, to "'disrupt' groups and 'neutralize' individuals deemed to be threats to domestic security." The targets included "political adherents of the right and left, ranging from activists to casual supporters." COINTELPRO tactics included:

- Anonymously attacking the political belief of targets in order to induce their employers to fire them;
- Anonymously mailing letters to spouses of intelligence targets for the purpose of destroying marriages;
- Obtaining from the IRS the tax returns of a target and then attempting to provoke an IRS investigation for the express purpose of deterring a protest leader from attending the Democratic National Convention...
- Pursuant to instructions to use 'misinformation' to disrupt demonstrations, employing such means as broadcasting fake orders on the same citizen band radio frequency used by demonstration marshals to attempt to control demonstrations."

Many of these tactics were patently illegal. But "Government officials -- including those whose principal duty is to enforce the law -- have violated or ignored the law over long periods of time and have advocated and defended their right to break the law."

In addition to COINTELPRO, other illegal surveillance activities by a variety of Federal agencies reported by [The Church Committee](#) included:

- From 1947-1975 the NSA (yes that NSA) -- under a secret arrangement with 3 US telegraph companies -- intercepted millions of private telegrams of US citizens, despite "the reasonable expectation that they would be kept private".
- For 20 years the CIA indiscriminately opened citizens' mail and passed it on to the FBI. "Throughout this period CIA officials knew that mail opening was illegal".
- Since World War II warrantless break-ins were conducted by intelligence agencies including the FBI and CIA against American citizens and domestic organizations.
- At least since the early 1930's intelligence agencies frequently conducted warrantless wiretapping and bugging of American citizens including members of Congress and high level Executive branch members.

Moreover, these clandestine government programs largely succeeded in their goals of suppressing dissent and disrupting organizations who disagreed with government policies. By the time these programs were first revealed to the American public by whistleblowers in the early '70s, the civil rights movement and anti-war movement had largely descended into factionalism and internecine warfare. The reasons were many, but not the least of them was the illegal campaign of spying, disruption and harassment by the government.

WHISTLEBLOWERS

If there are any heroes in this sad and disgraceful story, they are the whistleblowers (aided by a few courageous journalist) who risked years in prison to reveal these clandestine government programs to the American public. Their efforts eventually resulted, at least for a while, in legislation curbing government spying, curbs which were largely removed when the tragedy of 9/11 gave the national security state new justifications to frighten the American people into sacrificing liberty in the name of security.

We might never have known of COINTELPRO, and it might have continued forever, were it not for a group of 8 pacifists calling themselves The Citizens Commission to Investigate the FBI. They risked decades in prison by taking over 1,000 documents -- which first publically revealed the COINTELPRO program -- from an FBI office in Media, Pennsylvania, and releasing them to the press including *The Washington Post*. Outraged members of Congress called for an investigation of the FBI, and the media, which had generally lionized Hoover and the FBI, expressed shock. As the *Washington Post* editorialized,

"This is a concept of internal security appropriate, perhaps, for the secret police of the Soviet Union but wholly inconsistent with the idea of a Federal Bureau of Investigation in the United States. A government of snoopers in a nation of informers was hardly the vision in the minds of those who established the American Republic."

A few weeks later, former Marine Lieutenant and top Pentagon official Daniel Ellsberg gave major American newspapers copies of the top secret *Pentagon Papers*. They were a classified history of the Vietnam war commissioned by the Defense Department that, as the *The New York Times* (which published *The Pentagon Papers* over the protests of the White House) wrote, "demonstrated, among other things, that the Johnson Administration had systematically lied, not only to the public but also to Congress, about a subject of transcendent national interest and significance".

Not only did Ellsberg's whistle blowing increase public opposition to the Vietnam War. It also unleashed a series of events that eventually led to the Watergate break-in, the resignation of President Nixon, the formation of the Church Committee, and the enactment of laws which restricted such government spying.

MODERN HIGH-TECH SURVEILLANCE ENDANGERS LIBERTY IN AMERICA

Those Post-Watergate restrictions were weakened in the wake of 9/11, leading to a plethora of new government surveillance programs using technology geometrically more intrusive than the technology used by programs like COINTELPRO a few decades ago. We have come to know of their existence through the efforts of a new generation of whistleblowers like Edward Snowden and through the efforts of investigative journalists in both the old and new media.

Among the things we've recently learned about contemporary government spying activity:

- The NSA collects metadata on the phone calls and emails of virtually every American.
- The FBI is empowered to issue National Security Letters compelling the disclosure of customer records held by banks, telephone companies, Internet Service Providers, and others, without a court order, so long as they are "relevant" to a national security investigation. Almost anything or anybody can be deemed "relevant" to a national security investigation, thus undermining traditional 4th Amendment constitutional protections requiring the showing of "probable cause" before a judge. Companies providing the data to the government are prohibited, or "gagged," from telling anyone about their receipt of the National Security Letters, which makes oversight difficult.
- Even when wiretaps require judicial warrants, they are issued by secret FISA courts in a non-adversarial proceeding which almost never denies government requests: From 2001-2012 the FISA court approved 20,909 warrant requests and rejected only 10. All the FISA judges are appointed by one man -- Chief Justice John Roberts -- without Senate review or confirmation. As Julian Sanchez of the conservative Cato Institute [points out](#), "Roberts is single-handedly choosing the people who get to decide how much surveillance we're subject to." FISA court decisions are secret. The only advocates before the FISA court are the government agencies seeking surveillance warrants with no adversarial procedure to hear opposing points of view. Sen. Ron Wyden described the FISA warrant process as "the most one-sided legal process in the United States".
- *The New York Times* recently [reported](#) that the NSA is using its vast data base to create sophisticated portraits of some Americans' social connections and personal information. The NSA can exploit its metadata "to develop a portrait of an individual, one that is perhaps more complete and predictive of behavior than could be obtained by listening to phone conversations

or reading emails, experts say. Phone and email logs, for example, allow analysts to identify people's friends and associates, detect where they've been at certain times, acquire clues to religious or political affiliations, and pick up sensitive information like regular calls to a psychiatrist's office, late-night messages to an extramarital partner or exchanges with a fellow plotter".

- There are early signs that the NSA is beginning to move beyond the collection of metadata to using such data to discredit those with views it finds threatening. The NSA has [collected records](#) on online sexual activity and visits to porn sights to undermine the credibility, reputation and authority of "radicalizers". This starts to move uncomfortably close to the COINTELPRO efforts to discredit Dr. King and others whose view the government disagreed with.

To those who defend this new generation of government surveillance without sufficient legal safeguards against its misuse on the grounds that it will only be used for our own good to protect America's national security against terrorist threats, I say look at the recent history of government surveillance to suppress the liberty of American citizens.

As FDR's Attorney General (later Supreme Court Justice) Robert Jackson [wrote](#),

"Activities which seem benevolent or helpful to wage earners...or those who are disadvantaged...may be regarded as 'subversive' by those whose property interests might be burdened thereby. Those who are in office are apt to regard as 'subversive' the activities of any of those who would bring about a change of administration. Some of our soundest constitutional doctrines were once punished as subversive. We must not forget that it was not so long ago that both the term 'Republican' and the term 'Democrat' were epithets with sinister meaning to denote persons of radical tendencies that were 'subversive' of the order of things then dominant."

It took the revelations of whistleblowers like Daniel Ellsberg and the Citizens Commission to Investigate the FBI -- resulting eventually in the Watergate break-ins and the impeachment of President Nixon -- to create the kind of national urgency which resulted in legislation to curb the secret surveillance powers of the federal government. It took the fears generated in the public and politicians by 9/11 to reverse many of these necessary legal protections.

Revelations by high tech whistle blowers like Edward Snowden have partly drawn the curtain back on the vast high tech government surveillance apparatus with few legal restraints and have started a national dialogue on the proper balance between security and liberty. [Polls](#) since Snowden's revelations show a majority of Americans opposed to the current NSA policies -- 57 percent say they have "no confidence" the government won't abuse the collected data and 63 percent say more oversight is needed. Ironically, some of the strongest critics of the national security state have come from the libertarian right while many so-called liberals have been willing to give Obama a pass -- Hope for change may in part involve an unusual alliance between the libertarian right and pro-civil liberties progressives and moderates.

Will it be enough to create a new generation of laws protecting against the potential abuse of citizens' liberty driven by a new generation of government surveillance by over-zealous defenders of national security? Or are we laying the groundwork for a repressive state with high-

tech tentacles reaching into every aspect of citizens lives, invading our privacy, suppressing our free speech, and destroying the liberty on which the nation was founded?

As Benjamin Franklin is famously quoted as saying, "Any society that would give up a little liberty to gain a little security will deserve neither and lose both."

POSTSCRIPT: A broad coalition of activist groups, companies, and online platforms will hold a worldwide day of activism in opposition to the NSA's mass spying regime on February 11th dubbed "The Day We Fight Back".

Participants including Access, Demand Progress, the Electronic Frontier Foundation, Fight for the Future, Free Press, BoingBoing, Reddit, Mozilla, ThoughtWorks, and more to come, will join potentially millions of Internet users to pressure lawmakers to end mass surveillance -- of both Americans and the citizens of the whole world.

To participate, [click here](#).