

Ringleader in 1964 civil rights murders convicted of manslaughter

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A Neshoba County, Mississippi jury on Tuesday convicted Edgar Ray Killen of manslaughter in the 1964 killings of three civil rights workers. The 81-year-old Baptist preacher, who instigated and organized the crime, faces from one to 20 years on each of three counts when he is sentenced Thursday.

The jury rejected charges of murder against Killen, who was a local leader of the Ku Klux Klan at the time of the killings.

Killen has long been known to be the principal author of the murder of Michael Schwerner, James Chaney and Andrew Goodman near Philadelphia, Mississippi on June 21, 1964. The three young men, two Jewish New Yorkers, one black Mississippian, were working to register black voters during the “Freedom Summer” campaign of 1964. They were deliberately lured to the small eastern Mississippi town, arrested for speeding, and held in the county jail while Killen mobilized a lynch mob.

The three were released from jail in the late evening and followed in their car by the gang of killers, who stopped them on a rural stretch of road, then beat them and shot them to death. Killen was not present at the actual killing—he made a public appearance at a local funeral home to establish an alibi—but he targeted Schwerner and his two companions, chose the location where the corpses would be buried, and even hired the backhoe used to entomb them in an earthen dam.

In 1967, Killen was among 18 men tried on federal civil rights charges in the case. Seven were convicted and served prison terms of no more than six years, eight were acquitted, and three, including Killen, had hung juries. Killen’s jury deadlocked 11-1 for conviction, with the lone holdout a woman who declared she could not find a preacher guilty of a crime. The federal government did not retry him, and Mississippi state authorities took no action on the case for another 30 years, when an investigation was opened in 1998.

The long delay in bringing the charges contributed to the conviction of Killen on the lesser charge rather than on first degree murder, according to press interviews with jurors after they rendered their verdict. The jurors said they had initially split six to six on a murder conviction, with several feeling Killen was guilty but that the state’s evidence was too weak. Of the four witnesses who testified that Killen had personally ordered the killings, three were dead, and their testimony consisted of transcripts from the 1967 federal case.

Rita Schwerner Bender, Michael’s widow, now a Seattle attorney, praised the effort of state and county prosecutors while criticizing the verdict as inadequate. “The fact that some members of the jury could not bring themselves to acknowledge that these were murders, that they were committed with malice, indicates that there are still people among you that choose to look aside, not to see the truth,” she said.

One juror, Warren Paprocki, an engineer who moved to the county from California in 1992, said the judge’s instructions to the jury had prevented agreement on a murder conviction. “Our instructions almost read like he would have had to have been there at the scene of the crime or given instructions during the murders,” he said. “The state just did not provide that evidence.”

The jury reflected the changing social composition of the state. It was predominantly working class, with two registered nurses, two teachers, an auto worker, a poultry plant worker, a bus driver and a librarian, as well as the engineer, two managers, and an elderly housewife. There were nine whites and three blacks—roughly the same proportion as the county’s population. Only two of the jurors had been adults at the time of the killings, while five were children in 1964 and five had not even been born.

The media commentaries on the trial and verdict were a largely predictable celebration of progress in race

relations in the South. References to changing times, however, do not provide answers to the central political question posed in this case: why the 41-year delay in bringing the well-known ringleader of the 1964 murders to justice?

To blame the delay on racist sentiments among whites in the rural South begs the question: what political forces catered to those racist sentiments and based themselves on sustaining them?

Moreover, Killen was identified and brought to trial in 1967 on federal civil rights charges. Even then, at the height of the desegregation struggle in the South, 11 out of 12 jurors were prepared to convict the Klan leader. The 2005 trial was not based on new evidence, but on eyewitness testimony that would, if anything, have been stronger and fresher in 1975, 1985 or 1995.

If Killen was never retried by the federal government, and not prosecuted by the state for 40 years, it was because identifiable individuals—prosecutors, governors, attorney generals, presidents—decided not to. What was lacking was neither evidence nor popular support, but political will.

The decades-long failure to prosecute Killen and other arch-criminals of segregationist terrorism was bound up with political decisions made at the highest levels of the American ruling elite, and above all, the incorporation into the Republican Party of the Southern racists and Christian fundamentalists who now comprise the bulk of its popular base.

The author of this policy was Richard Nixon, whose infamous “Southern strategy” called for displacing the Democratic Party, dominant in the South for a century, by making coded appeals to the white majority, using “law-and-order” demagoguery as a surrogate for overt racism.

Over the next three decades, the Republican Party came to dominate the politics of the South, first at the federal level, then increasingly at the state level. In Mississippi, the state’s two longtime senators, Trent Lott and Thad Cochran, are both Democrats-turned-Republicans. Three of the state’s four congressmen are Republicans, including Charles Pickering Jr., who represents the district that includes Neshoba County and Philadelphia.

In December of 1998, reports surfaced in the national press that Lott, then the Republican Senate majority leader, maintained close ties with the Council of Conservative Citizens (CCC), a successor to the White Citizens Councils which organized segregationist forces in the 1950s and 1960s. Columns by Lott appeared in the CCC’s newsletter alongside editorials denouncing

interracial marriage as a genocidal attack on the white race.

In December of 2002, Lott was forced to resign as Senate majority leader after he made a speech hailing the 1948 presidential campaign of Strom Thurmond, who ran as the candidate of the States’ Rights Party on a segregationist platform.

The impact of the Republican Party’s cultivation of forces alienated by the civil rights legislation of the 1960s can be seen in the presidential vote totals in Neshoba County itself. In 1964, four months after the murders of Schwerner, Chaney and Goodman, the nearly all-white electorate voted 95 percent for Republican presidential candidate Barry Goldwater, the first Republican in history to carry the county. Subsequent elections show a remarkable continuity: George Wallace received 6,517 votes in Neshoba County in 1968 (80 percent); Richard Nixon 6,815 votes in 1972; Ronald Reagan 6,705 votes in 1984; George W. Bush 6,409 votes in 2000.

It was Reagan who brought Nixon’s policy to fruition in his 1980 presidential campaign, which he launched, after his nomination at the Republican convention, with an appearance at the Neshoba County Fair, just outside Philadelphia, Mississippi. Speaking only nine miles from where the bodies of Schwerner, Chaney and Goodman had been buried by the Klan killers, Reagan made no mention of the crime. Instead, he affirmed his support for “state’s rights,” the longtime slogan of the diehard segregationists.

Significantly, there has been no reference to this notorious episode in the media coverage of the current trial. It would raise too many uncomfortable questions about the debt which the modern Republican Party and the Bush administration owe to racist elements like Killen—and to their more genteel upper-class protectors.



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