

# Trial ends, but 'shadow government' darkens Alabama

Updated 7:39 PM; Posted 7:30 PM



It's not just the trial that has Alabama under a cloud. (Charles Nesbitt)

By [John Archibald](#)  
[jarchibald@al.com](mailto:jarchibald@al.com)

*This is an opinion column.*

The jury's out.

Not the jury in the trial of the sin-tury - the bribery and corruption burlesque that has gripped Birmingham for a month.

That jury came back Friday, and convicted [two powerful men](#) charged with paying a lawmaker to thwart the EPA cleanup of a struggling neighborhood. But forget the crimes of Joel Gilbert and David Roberson for now. Because what has been exposed in the courtroom in recent weeks is a poison that goes beyond their wrongs. Alabama is toxic.

Dirty. Noxious. Virulent. The stench from this trial covers the state like smog and casts a sinister shadow.

On all of us.

Assistant U.S. Attorney George Martin, a workmanlike prosecutor who has argued some of the biggest corruption cases in Alabama in recent years, brought the point home to jurors in his closing statements.

Evidence revealed, he argued, a "shadow government" run by elites at the expense of the powerless.

It did. It does.

This shadow government ought to unite us in horror. Because it crosses all the lines that so often divide. We live in a world where people on the right vilify the left and people on the left vilify the right, where politics not only makes bedfellows but instant enemies, where ideology is more important than ideals and partisanship trumps citizenship.

But this trial has shown the shadow government to be the most diverse group this side of the queue at Niki's West. It covers every pay grade and every hue, every creed and color and office and stated purpose in life.

Despite his own protests to the contrary, documents and testimony make clear that [Hezekiah Jackson](#), the head of the Birmingham chapter of the National Association for the Advancement of Colored People, took money from self-described bribee Oliver Robinson and went into poor black neighborhoods to lug the dirty water Robinson was carrying on behalf of potential polluters. How does he keep his job? Only the shadow knows.

[John Powe](#), the deputy Jefferson County tax assessor appointed by Tax Assessor Gaynell Hendricks, was up to his eye sockets in dirty work discussed in this trial. He worked with Robinson to spread the message of Drummond and the other big companies who funded the campaign to thwart the EPA. He helped spread the message that simply having your soil tested in north Birmingham and Tarrant could hurt property values. This, mind you, from the second-in-command at the office that assesses property. How does this guy keep his job? Only the shadow knows.

In this shadow government the [biggest businesses in Alabama](#) go mum when it is revealed that they were defrauded by Robinson. Because they'd rather no one probe too deeply to see how they are involved. In this shadow government lawyers for polluters routinely write letters for the signature of Democrat mayors like Loxcil Tuck in Tarrant and Republican governors like Robert Bentley, for the Jefferson County Commission, for the attorney general of the state of Alabama and its U.S. senators. In this shadow government, the so-called leaders do not govern. They sign on the dotted line.

How do any of those who still have jobs still have their jobs? How?

Because the shadow government is bigger and broader and more efficient than elected government.

This conspiracy - criminal or otherwise - drew Democrats and Republicans, so-called community activists and corporate executives. It transcended partisanship and ideology and reason and righteousness, and played its hand with methods proven tried and true.

Greed. Influence. Money.

Pay them handsomely. Swear them to secrecy. Pull them into conspiracy, and they can never pull away.

Can it change?

That's on you and me, I guess. The jury's still out.

*John Archibald is a columnist for Reckon by AL.com. His column appears in The Birmingham News, the Huntsville Times, the Mobile Register and AL.com. Write him at [jarchibald@al.com](mailto:jarchibald@al.com).*