

1988

Book Review: Secrecy and Power: The Life of J. Edgar Hoover. by Richard Gid Powers.

John C. Chalberg

Follow this and additional works at: <https://scholarship.law.umn.edu/concomm>



Part of the [Law Commons](#)

Recommended Citation

Chalberg, John C., "Book Review: Secrecy and Power: The Life of J. Edgar Hoover. by Richard Gid Powers." (1988). *Constitutional Commentary*. 504.

<https://scholarship.law.umn.edu/concomm/504>

This Article is brought to you for free and open access by the University of Minnesota Law School. It has been accepted for inclusion in Constitutional Commentary collection by an authorized administrator of the Scholarship Repository. For more information, please contact lenzx009@umn.edu.

ited two entries, while Senator Joseph McCarthy's meteoric career required five.

A useful appendix with a concordance and list of cases increases the work's value for scholars.

SECRECY AND POWER: THE LIFE OF J. EDGAR HOOVER. By Richard Gid Powers.¹ New York, N.Y.: The Free Press. 1987. Pp. 624. \$27.95.

*John C. Chalberg*²

In the fall of 1919 the nation's first full-blown "red scare" was well underway. Already Attorney General A. Mitchell Palmer's home had been the target of an incompetent bomber. Letter bombs addressed to such prominent and powerful Americans as J. P. Morgan, Judge Kenesaw Mountain Landis, and John D. Rockefeller had been discovered in a New York City post office. Extraordinary general strikes, an extra-legal police strike, and a massive steel strike dotted the nation's landscape. Vigilante groups and congressional committees were arming themselves for the coming battle. What was a Quaker Attorney General to do as the nation shuddered in anticipation of a Bolshevik uprising?

Palmer's immediate response was to organize within the Justice Department a Radical Division, whose charge was to round up and summarily deport alien radicals before they could serve as a welcoming committee for the incoming Bolsheviks. But who would carry out such an operation?

Already at work within the Bureau of Investigation was a recent George Washington Law School graduate who had begun his government career in 1913 as a junior messenger for the Library of Congress. With America's entry into World War I he had graduated to Justice where his first task was to process paperwork concerning German aliens. By war's end the Bureau of Investigation, in cooperation with the Bureau of Immigration, had orchestrated the arrest of over 4,000 "alien enemies," mostly Germans.

By 1919 another kind of alien enemy was abroad in the land: the Bolshevik, who had replaced the Hun at the top of the list of American demons. The shift was a relatively easy one to make. After all, many leftists had opposed American involvement in

1. Professor of History, City University of New York, College of Staten Island.
2. Professor of History, Normandale Community College.

World War I, and many had already been tried and convicted under the Espionage Act. Furthermore, Lenin was thought to be little more than a "German agent," proof of which had been amply provided by the separate Treaty of Brest Litovsk which removed Soviet Russia from the war. When the total war ended, Bolsheviks everywhere set out to spread their gospel to a post-Versailles world. They considered the United States a likely target, or so thought A. Mitchell Palmer and his Bureau of Investigation.

To stop the impending revolution Palmer turned to his in-house expert on alien radicals: John Edgar Hoover, career bureaucrat, grandson of John Thomas Hoover (printer for the U.S. Coast Guard and Geodetic Survey), son of Dickerson N. Hoover, chief of the print shop of the U.S. Coast Guard and Geodetic Survey, and brother of Dickerson Hoover, Jr., employee of the government's Steamboat Inspection Service. Hoover was a third generation bureaucrat, a native Washingtonian who was born and reared in the same Seward Square house in which he would live until his mother's death in 1938.

To Richard Powers these bare facts are critical to an understanding of the life of this century's most celebrated American investigator. As a young boy and a middle-aged man, J. Edgar Hoover returned faithfully night after night to his mother's house; as a dutiful biographer, Richard Powers returns again and again to the lessons Hoover learned and the values Hoover acquired long before he even dreamed of leaving Seward Square.

His boyhood neighborhood lay within sight of the Capitol Building. It was a secure enclave for modern Washington's first generation of middle class government workers. It was, according to Powers, a "microcosm of white, Protestant America." There "Speed" (a nickname Hoover earned for running groceries from a local market) could live an urban life removed from unkempt immigrants, whether from southeastern Europe or the American South. There he attended a segregated high school, where he learned, above all else, that he possessed the talent to motivate others to do his bidding.

Not that he was a young man possessed. Hoover was neither a Hitler nor even a Theodore Roosevelt. Neither his tongue nor his pen was the source of his power. This is the century of bureaucracy, and J. Edgar Hoover was a bureaucrat's bureaucrat.

He could—and did—seek to control the Hollywood image of the "G-man." He could—and did—publicly play upon the American public's already rampant fear of communism. His power, however, derived less from demagoguery than from his ability to

manipulate a relatively small number of subordinates, superiors, and politicians. This child of Seward Square, whose inhabitants, argues Powers, were “committed to government, but alienated from politics,” never joined a political party and never voted, but he was often a better politician than the presidents, attorneys general, and congressmen who came and went as he endured.

Powers points out that Hoover was given his “first taste of authority” under circumstances in which he was able to “disregard the normal constitutional restraints on the state.” A world war was raging, and the United States was now a participant in it. German aliens were on the loose, and Hoover’s “personal judgment” was equivalent to the “force of law” in deciding their fate.

After the Immigration Act of 1918 had been enacted, Hoover was given the additional task of selecting for potential deportation those aliens he determined to be believers in “anarchism or political violence.” This was the legislation upon which Palmer and Hoover based their raids in late 1919 and early 1920. With “near demonic energy” and “obsessive attention to detail” Hoover carried on his almost personal war with alien radicals. He pursued communists simply because he was determined to “discredit those who threatened Seward Square,” and so took continued pride in having purged his country of the likes of Emma Goldman and Alexander Berkman.

But the raids themselves proved to be so outrageous that public attention shifted away from the behavior of the aliens, focusing instead on the misdeeds of the raiders. Civil libertarians rushed to expose the excesses of the Justice Department. The Secretary of Labor insisted that there had to be evidence of personal guilt before any individual alien could be deported. And a judge ruled that membership in the Communist party or the Communist Labor party was not a sufficient ground for deportation.

As a result of these decisions and the accompanying shift in public mood, the Hoover master purge was in obvious shambles and his future was very much in doubt. His only tack was to disassociate himself from the raids and abandon his previously relentless pursuit of publicity. For a suddenly (and permanently) cautious Hoover, the 1920s were a time to absorb his lessons, consolidate his position within the Bureau of Investigation, cultivate a reputation for being the “objective” expert on domestic communism, and wait for a more appropriate political angel on whose wings he might fly high again.

Palmer’s political career was over by mid-1920. Hoover learned two lessons from it all: never again would he stake his ca-

reer on a single operation and never, if he could help it, would he wage war under the leadership of a falling political star.

In 1924 Attorney General Harlan Fiske Stone, a severe critic of the Palmer raids, nevertheless selected Hoover to head the Bureau of Investigation. Thereafter, Hoover blended his Seward Square morality with his commitment to scientific police work. Science and moralism were both strains of prewar progressivism; Hoover saw himself as one of the new breed of progressive managers for the 1920s.

Powers reminds us that the pre-Depression Herbert Hoover had a similar image. But within months of the inauguration his was an embattled presidency. Consequently, Director Hoover chose to provide only "minimal information" to President Hoover.

Not until Franklin Roosevelt occupied the White House did Hoover have his man. The New Deal years were at once crucial and fortunate for Hoover. His luck began even before FDR took his oath of office. Montana Senator Thomas Walsh, a Hoover enemy from the red scare days, was FDR's choice to head the Justice Department. Washington insiders assumed that Walsh would dismiss Hoover. But Walsh died on his way to Roosevelt's inauguration. His replacement, Homer Cummings, not only retained Hoover, but looked upon a more powerful Bureau of Investigation as helpful to the entire New Deal agenda, a conclusion with which Powers agrees.

The heart of this book is the story of the New Deal F.B.I. and the intimate Hoover-FDR relationship which helped to enhance its power. Hoover proceeded on two fronts simultaneously. He ingratiated himself with the Roosevelt White House specifically and the American people generally. He made himself indispensable to FDR by funneling information to him; he made himself memorable to the public at large by removing the likes of John Dillinger and Alvin Karpis from their midst.

Powers argues that even before the New Deal a "grass roots anti-crime" wave was sweeping the country. Fueled by the upsurge of crime during the Depression and by gangster movies based upon a "crime without punishment" formula, the movement was given added impetus by the sensational Lindbergh kidnapping. It was a propitious time for an anti-crime campaign led by someone with ambition and clout.

At first that someone appeared to be Attorney General Cummings. While he had not come to Washington promising a war on crime, he quickly endorsed a "super police force." Did this mean a truly national police force for the United States? Cummings soon

realized that any such goal was a political impossibility in our federal system.

While a federal police force was not feasible, federal *leadership* could be exerted. In addition, the popularity of the domestic New Deal may well have helped to soften up potential opposition to creation of a national investigative agency. Be this as it may, the Federal Bureau of Investigation was created in 1935.

This new agency gained instant public notice and automatic credibility with its successful and highly publicized hunt for John Dillinger. Not until 1935 did J. Edgar Hoover become a certified American celebrity. This was the work of both Hoover and Hollywood. With *the G-man* himself overseeing the process, "G-man" movies replaced gangster movies; the FBI became a Hollywood symbol of forceful, but benevolent, national authority. Hoover now began to create the legend of a scientific bureau, full of team spirit, tracking down criminals. Powers thoroughly debunks the role that "science" actually played in bringing down John Dillinger and company, but he, too, marvels at Hoover's media triumph.

Of course, there could only be one hero, since it was especially important that the Bureau be seen for what it was in Hoover's eyes: an anonymous team of Seward Square clones drudging their way through fingerprint files. Any doubts that there was a hero were removed when Hoover, taunted by a skeptical Senator Kenneth McKellar of Tennessee, finally escaped from his Washington office and got "his man," Alvin Karpis, then Public Enemy No. One.

Was the arrest set up for Hoover? Of course. But when Kate Smith asked her radio audience to send congratulatory messages to Hoover, thousands responded. And while Richard Powers realizes that Hoover was doing little more than driving home the proverbial "golden spike," he still concludes that "nobody who knew Hoover doubted his moral or physical courage."

But celebrityhood and moral fervor were not the only keys which permitted Hoover to enter almost any American household at will. Another key was required for another house. That key was information, and the house was the White House. As early as 1933, Roosevelt began requesting that Hoover supply him with information on German-controlled Nazi groups operating in the United States. By 1936 the President expanded his charge to include "systematic intelligence" on fascist *and* communist "subversive activities" within this country. According to Powers, this directive gave Hoover the basic authority to conduct domestic intelligence operations for the remaining thirty-six years of his FBI tenure.

J. Edgar Hoover and Franklin D. Roosevelt operating in tandem? The arch-conservative anti-communist and the liberal New Deal president seem to be an unlikely pair. Not so, argues Powers. The two men worked well together and genuinely liked each other. For his part, Hoover trusted FDR and was "totally loyal to him." Besides, concludes Powers, "neither was very concerned with the civil liberties of his enemies."

As the 1930s wore on and the international crisis deepened, Hoover and Roosevelt secretly began to revive intelligence facilities that had been dismantled after World War I. Both men, Powers contends, were far ahead of the public and Congress in recognizing the dangers presented by Germany and Japan. So in tune were the President and Hoover that in June of 1939 FDR gave the FBI, rather than the military, intelligence responsibility for the entire western hemisphere.

But the domestic security apparatus was Hoover's primary pre-occupation. Not until November of 1939 did he reveal the existence of his "General Intelligence Division" in an appearance before Congress. The director went into little detail then; Powers provides more detail and much commentary now. Among other initiatives, Hoover organized a Custodial Detention Program to select "dangerous individuals" for arrest in time of emergency, placed the NAACP under surveillance (where it remained until his death), and raided the headquarters of the American Veterans of the Spanish Civil War. The first provokes no direct comment from Powers; the second he labels "one of the least justifiable" FBI operations; and the third, he notes, led to charges that were dropped rapidly and a closer look at Hoover by liberals.

As of 1939, Powers argues, liberals had little direct information to support their "gut feeling" that Hoover was up to no good. Nor did they know that their beloved President was in full support of Hoover's activities. When they did begin to learn that Hoover was deeply involved in presidentially-approved domestic surveillance, they did precious little to stop it, according to Powers.

By 1941 precisely "nothing" (other than a Roosevelt directive to the contrary) prevented Hoover from investigating any group or person within the United States. As Pearl Harbor approached, the FBI, in Powers's view, was akin to a "political police force" operating at the "beck and call" of the President. According to Powers, it is FDR himself who must "bear the final responsibility for removing all effective restraints" on Hoover's surveillance of American political life.

In 1941 liberals were surprised to learn that the FBI was in the

business of wiretapping. The immediate target was a left-wing union leader, Harry Bridges. The goal was his deportation. The directive came from FDR, despite a 1939 Supreme Court ruling that prohibited wiretapping. The President sought to convince his critics that the Court “never intended any dictum to apply to grave matters involving defense of the nation.” Again liberals drew back from attacking the greatest liberal hero. But to Powers the decision to wiretap was a “symbol” that security, rather than civil liberties, was the administration’s greater concern.

So long as a war was on, so long as the main enemy was fascism, so long as the Popular Front was in vogue, and so long as Hoover had a friend in the White House, liberals muted their criticism of the Director of the FBI. For that matter, despite the Bridges aberration, FDR and Hoover were in agreement during World War II that German and Japanese spies comprised their major worry. The Smith Act was in place to be used against the Communist party as of June 1940, but there were only two prosecutions of party members until the cold war years. Hoover would have given anything to have had such a law on the books in 1920. Now that he had it, he did little with it.

Conservatives gain malicious pleasure from pointing out that Whittaker Chambers could not get the Roosevelt administration to listen to his story of Communist cells within New Deal agencies. True enough. But it is also true that Hoover refused to take Chambers seriously. For the duration of the war and the Roosevelt presidency, the soon to be deified personification of cold war anti-communism was “less than convinced” (Powers’s phrase) that the threat of communist espionage was as significant as claimed by the anti-communist right.

Had Hoover passed from the Washington scene with FDR in 1945, his career would have drawn mixed reviews from both liberals and conservatives. While never a darling of the liberals, he could gain admittance to their parlors—so long as his escort was Franklin Roosevelt. For the most part he retained the support of the inner circle of the American Civil Liberties Union—Roger Baldwin and Morris Ernst included—support he acquired in the 1920s when he rejected “red scare” tactics. On occasion, he could even draw open praise from liberals, notably for his opposition to the wartime relocation of Japanese-Americans, which, Powers notes, Hoover avoided largely because he would have had to work with the army to carry it out. And a departed Hoover could well have drawn the belated criticisms of conservatives for ignoring the domestic communist threat. But there would have been no polarization of opin-

ion, no unqualified judgments by either camp. Instead Hoover would have been portrayed as a successful bureaucrat who had learned his Washington lessons, mended his political fences, and minded his agency's store. No longer the hot-headed zealot of the Palmer raids, he had toned down his instinctive anti-communism, married himself to the resident genius of presidential politics, and built the FBI into a model of professionalism.

Then came Harry Truman. Hoover's distrust of President Truman dated from Senator Truman's criticism of the FBI's role in the Pearl Harbor disaster. His trust did not increase when, as President, Truman decided that there was no loyalty problem of any great consequence, only a partisan political bruhaha.

Hoover's traditional power base lay within the executive branch. By temperament, he was an insider to whom battling with a president was unnatural. To break with a president was a risky business for this supremely cautious bureaucrat. But break he did, with what Powers terms a "spectacular appearance" before the House Un-American Activities Committee. Almost overnight Hoover's endorsement of HUAC's crusade catapulted him into the position of "senior partner" of the anti-communist right.

Now he would listen to Whittaker Chambers. Now he would have a chance to replay 1919-1920 without the mistakes of 1919-1920. Now he would be able to mobilize public support for a new FBI campaign against those who would subvert Seward Square. Was this a cynical move on Hoover's part? Powers thinks not. Hoover's anti-communism was untainted by economic or political motives. His decision to challenge Truman cannot have been an easy one. Therefore, Powers may well be right when he concludes that Hoover did so simply because he saw a problem to be solved, not an opportunity to be seized.

Powers, however, looks beyond the personal break between Hoover and Truman to find a "greater split" in American culture during the early years of the cold war. On the one hand, there were conservatives (Hoover now fully included) who regarded the New Deal's sense of community as "indiscriminate and un-American." On the other hand, there were liberals (Truman included) who found the moralism of the anti-communist right both baffling and infuriating. To conservatives like Hoover, argues Powers, the internal security problem was a test of allegiance to traditional Americanism. To liberals like Truman, the internal security issue was an occasion for witch-hunters to unveil their instinctive intolerance.

Powers fairly states the concerns of each camp, but he finally comes down on the side of the Hooverites. Truman and his liberal

allies stand accused by Powers of “contemptuously rejecting the moral concerns” of the conservatives. Powers does not doubt Truman’s opposition to communism abroad, but he does think that Truman both underestimated the potency of the communist issue at home and too readily brushed aside conservative fears and ideas as “unworthy of serious discussion.”

Borrowing from Richard Hofstadter, Powers argues that Truman-era liberals dismissed all Hooverites as “pseudo-conservatives” who would subvert American values in the name of preserving them. In turn, notes Powers, Hoover had developed his own theory of “pseudo-liberals” whose tolerance of communists was symptomatic of a generally tolerant attitude toward violators of democracy and “respectability.”

By the end of the Truman presidency liberals, pseudo or otherwise, were in retreat. Hoover settled in for the eight “best years” (his phrase) of his tenure. After bowing before an imperious Roosevelt and battling with an intractable Truman, he found himself doing business with an “almost deferential” Eisenhower.

Hoover’s first order of business in 1953 involved making another political choice between the executive and congressional branches of government. This time, however, his decision was an easy one. Hoover preferred the security of a politically cautious Eisenhower to the recklessness of a politically insecure McCarthy. True, the FBI passed information (but not “raw files”) on to Senator McCarthy, who did have a close social relationship with Hoover. But any hint of conflict between the President and the Senator found Hoover safely on the side of the White House. The cautious search for power had prevailed again.

But what was Hoover to do with his new source of power? As of 1953 Hoover had effectively crushed the Communist party. In so doing, he had accomplished the very goal he had failed to achieve with the Palmer raids. He continued to deny that organized crime existed on a national level.

He was equally reluctant to confront the emerging civil rights issue, at times because he was obsessed by alleged infiltration of the civil rights movement, and at times because civil rights convictions were impossible to obtain in the South. During the 1950s, he “instinctively side-stepped” the murder of Emmett Till; in the midst of the Montgomery bus boycott he focused on the black challenge to authority, not on black grievances. The Director, it seems, could find little more than the long arm of communism behind every civil rights incident.

A sea change of sorts was under way in the American con-

sciousness beginning in the late 1950s. The preoccupation with communism was giving way to a growing concern for racial justice. So long as the American people were convinced that there was an internal communist threat, Hoover could rest easily. But his political security depended upon a degree of public insecurity, which, ironically, his FBI had done so much to alleviate. Persisting in his search-infiltrate-and-destroy missions against an almost defunct Communist party and his search for communist infiltration of the civil rights movement, Hoover was beginning to lose touch with the public mood. To make matters worse, new racial attitudes challenged the "privileged style of life" which Hoover had created for himself. Powers reveals that as recently as 1960 the only blacks within the FBI were five Hoover servants, who had been designated special agents to exempt them from the draft during World War II. Their sole collective task was to keep their boss removed from the irksome chores and happenstance delights of the real world.

As he faced the prospect of serving under the first president younger than he (and one twenty-two years his junior at that), Hoover grew more insulated from—and critical of—the world outside the FBI. He was both fortunate and unfortunate that John Kennedy lacked the political strength to fire him: fortunate, because he could keep his job; unfortunate, because his historical reputation was bound to suffer as he clung to power. The last decade of the Hoover dynasty was demeaning, embarrassing, and more than a little pathetic. Powers refuses to use such strong words, but his story compels them. Hoover hated Robert Kennedy, but he could do little to control him. He admired Lyndon Johnson, but he could do little to please him. By 1965 Hoover realized that his only safety lay in "total subservience" to President Johnson, who in turn used his elderly sycophant to help engineer the revolution in race relations which Hoover so greatly feared. And that reversal was perhaps the mildest setback the Director suffered during his final years in office.

Instead of praise from the Warren Commission, Hoover was criticized for serious gaps in the FBI's earlier investigation of Lee Harvey Oswald. Instead of breaking Martin Luther King as he had broken Marcus Garvey forty years earlier, Hoover was revealed as a professional "peeping tom," while King got a Nobel Peace Prize. Instead of making a tentative peace with the New Left, if for no other reason than because he had no weapons with which to wage his war, Hoover engaged in a vendetta against the SDS that was as "reckless and irresponsible" as it was "hopeless." Instead of happily grooming his chosen successor, he was reduced to the indignity

of having his choice, William Sullivan, turn against him. And instead of capping his career as the "trusted" adviser to Richard Nixon, he became an object of ridicule by Nixon's arrogant young aides.

Distrust of Hoover led the Nixon White House to create the infamous "plumbers' unit." For the likes of John Ehrlichman, bureaucrats like Hoover were infuriatingly cautious. But caution had been Hoover's hallmark for over fifty years, essential to his longevity in power and his bureau's autonomy. Hence his reluctance to endorse the ominous Huston Plan. Moreover, neither Ehrlichman nor Nixon was pleased with Hoover's handling of the Daniel Ellsberg-Pentagon Papers case. (Ellsberg's father-in-law, it seems, was a close Hoover friend.) Hence Nixon's decision to create his own team of investigators to plug White House leaks. Hence the Watergate break-in, which took place barely six weeks after Hoover's death.

Powers does not suggest that Hoover's demise liberated Nixon's henchmen. In his final years the Director was simply not the power that he had been under Roosevelt, against Truman, and with Eisenhower. For perhaps too many years Hoover had been both a bulwark for traditional American values and an engineer for end runs around constitutional limits.

In a sense his career had come full circle by the early 1970s. A public embarrassment to the nation (and to himself) during the Palmer raids, Hoover had to suffer private embarrassment at the hands of the Nixon White House during his final years as the Director. In between were decades of self-promotion and public service. If that makes an "ambiguous legacy," in Powers's words, it can be an instructive one as well.