

**From Pinkerton to G-Man: The Transition from Private to
State Political Repression, 1873-1956**

John Drabble

Introduction

Between 1956 and 1971, the Federal Bureau of Investigation carried out a series of domestic counterintelligence programs (COINTELPROs), which endeavored to "expose, disrupt, and otherwise neutralize" social movements which the FBI deemed threatening to internal security.¹ In addition to groups such as the Communist Party-USA, which had links to a foreign power, these domestic covert action programs targeted indigenous Ku Klux Klan and revolutionary groups such as the Black Panther Party. COINTELPRO also targeted nonviolent organizations such as the Socialist Worker's Party, the Nation of Islam, the Southern Christian Leadership Conference, New Left groups, and other groups that sought systematic change.

Under COINTELPRO FBI agents used surreptitious entry, electronic surveillance and informants to acquire and covertly distribute material to police, Congress, the Internal Revenue Service, elected officials, and allies in the media, and thereby prevent activists from gaining respectability. They alerted local police forces to activists' plans and activities so that they could make arrests on pretext. To exacerbate ideological, organizational and personal conflicts, create factionalism, and provoke violent internecine conflict, agents made anonymous telephone calls and created counterfeit movement literature. Alleging misconduct, provoking ridicule, snitch-jacketing activists as informants, and alleging the existence of assassination plots, these communications framed effective movement leaders as embezzlers, charlatans, informants and provocateurs. COINTELPRO thwarted favorable publicity, fund raising, recruiting, organizing, coalition building, and effective leadership.²

This article argues that the use of such tactics for political repression was not new, and that federal bureaucrats had first adopted them from private detective agencies during a crucial transition period between World War I and the mid-1920s, when the American domestic security-state was born. The first section of the article discusses how between 1873 and 1936, before the Wagner Act and the LaFollette Committee hearings reigned in

such practices, American employers had routinely contracted with private detective agencies to conduct industrial espionage against labor union organizers. These agencies however, did not simply passively collect information, but engaged in *active* counterintelligence operations, hiring agents-provocateurs to create factionalism, influence the timing of strikes, and encourage violence and illegal activity among pro-union workers to enable prosecutions. The first stage in the transition from private to state mode of political repression came with anti-radical drives conducted by state authorities between 1903-1916. Then, during World War I, the U.S. Department of Justice's Bureau of Investigation (BI), enlisted private detective agencies and citizen vigilantes to enforce the draft, police morals near military bases, and suppress strikes in war related industries.

The shorter, second section of this article emphasizes that the BI Directorship of William J. Burns, 1920-1924 constituted a perhaps less obvious, but perhaps more important watershed period. Burns used the BI's files and employed its agents to augment his own private detective agency business and target congressional critics of the Harding administration. In the wake of the ensuing scandal, J. Edgar Hoover, who replaced Burns in 1924, was able prevent effective oversight of BI operations by publicizing his professionalization of Bureau operations. The third section of the article explains this by contextualizing Richard Gid Powers' argument that by personifying the myth of the Detective-hero, J. Edgar Hoover enshrined the "Government-Man" as a bulwark against subversive forces that threatened the Republic. Thus the article examines interrelationships between three different historiographical trajectories: exposés of private detective agency activities, analyses of FBI surveillance and counterintelligence, and biographers of famous detectives. Building upon Michael Rogin's work on the American countersubversive tradition, the article concludes by questioning how scholars might theorize relationships between the developments in American political demonology and the erection of the U.S. national security state that took place in the twentieth century.³

The Techniques of Private Detective Agencies, 1873-1936

Robert Weiss has described how the Pinkerton Detective Agency provided one of the first methods of police control in the United States. The Pinkertons were the only police force that operated nationwide until the early twentieth century and they developed the occupational role of detective.⁴ Allen Pinkerton devised the earliest central clearinghouse of intelligence information. His agents compiled photographs and pertinent information about criminals and set up a distribution system for state and local law enforcement. The Pinkerton Detective Agency also created new

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goals involving general intelligence and prevention beyond the apprehension of specific criminal offenses. These strategies would provide a blueprint for the federal police half a century later.⁵

The Pinkertons developed a modus operandi for the infiltration of labor unions, a system that would provide a model for Federal agents in the twentieth century. Pinkerton assumed that a tight inner circle of conspirators controlled the union and that their program and tactics were closely held secrets. In order to unmask these criminals, he deemed it necessary to first join the union and then, through craft and daring, to gain access to the leadership. The penetration aimed to acquire information leading to the arrest and conviction of the members of the inner group on conspiracy charges.⁶ The Pinkerton's first major industrial espionage case came in 1873, when railroad executive Franklin Benjamin Gowen hired Pinkerton Detectives to infiltrate Pennsylvania anthracite mines in order to gain control of production. At least one of them, P. M. Cummings managed to advance to an official position in the miner's union. The most pernicious of the spies, James McPharlan, became a chief witness in an orchestrated trial based upon problematic evidence.⁷

Kevin Kenny has described how Gowen and the Pinkerton detectives shifted attention from the social problems of Irish immigrant workers to a nativist panic over criminal conspiracy. They demonized a non-violent union by linking it to the violent 'retributive justice' undertaken by Gaelic-Irish immigrants during the period *before* unionization and the period *after* the destruction of the union. Borrowing from the mythology of Indian wars in the West, prosecutors employed a dualistic mythology to depict a battle against an inherently depraved and evil conspiracy, employing the rhetorical concept of 'savagery' to racialize industrial conflict.⁸ In the real West, meanwhile the Pinkertons were conducting espionage and police work for the railroads, express companies and cattle barons. Some unscrupulous stockmen resorted to entrapment, employing Pinkertons to infiltrate bandit gangs and "betray" them. Pinkerton detective Tom Horn, for example, killed seventeen bandits while on assignment.⁹

By the late 1870s, Allen Pinkerton was demonizing industrial conflict through the use of nativist and anticommunist rhetoric. He asserted, for example, that the 1877 railroad strike was "a conspiracy hatched by Karl Marx's International," declaring that "every act of lawlessness" had been committed by Communists.¹⁰ The depression of 1877 created one million unemployed workers. Large numbers of "tramps" took to the roads while workers participated in mass strikes and property destruction. Pinkerton wrote a number of books that linked the 'tramp scare' to the Paris Commune. Between 1869 and 1892, the Pinkerton Detective Agency participated in 77

strikes, providing guards, strikebreakers and industrial espionage to employers. In 1892, a battle between guards and workers at the Homestead, Pennsylvania Works resulted in a state legislative investigation of the agency. This investigation, as well as previous legislative investigations between 1887-1888 and twenty-three subsequent investigations objected that private bodies had assumed a police power properly belonging to the State.¹¹

By the 1890s, urban elites were well equipped to defend their interests with legal, paramilitary and ideological weapons as the course of economic development brought new allies to employers. State governments, meanwhile, were becoming concerned over an increasingly violent turn in labor conflict at this time. Municipal and state governments transformed police into disciplined forces for law and order. During the 1890s, the number of police per capita nearly doubled in several large cities. Businessmen raised hundreds of thousands of dollars each year to expand, train and professionalize them. They also transformed the militia by joining the officer class of the National Guard, which became a principal instrument for attacking the labor movement. They increased appropriations, emphasized riot training and established armories near major cities in the urban-industrial states.¹²

The legal system validated this employment of public police power against workers. Property owners were considered to have a personal stake in their property and strikers were deemed criminals if they tried to prevent its use. During the 1880s, conspiracy charges such as "inciting to riot," "obstructing the streets," "intimidation" and "trespass" began to be used extensively against strikers. Court injunctions restricting picketing became common. Because no similar legal recourse existed for those who had lost their jobs to strikebreakers, workers frequently resorted to violence in order to force demands. Strikers bore the overwhelming brunt of the violence, however, as employers contracted with detective agencies for paramilitary police to protect replacements and break strikes.¹³ Local elites also harnessed the American vigilante tradition, turning to citizens' associations and 'law and order' leagues. The corporation also began to assume a new form during this period. J. P. Morgan, Cyrus H. McCormick, E. H. Harriman and the Rockefeller family used their power as investment bankers to reorganize the nation's corporate system. They made it more efficient and monopolistic, transcending state boundaries and gaining political power. They routinely condemned acts of collective resistance by workers as insurrection.¹⁴

By the turn of the century, the overwhelming majority of Americans had come to accept the new large-scale industrial, commercial and financial enterprises. Progressive reformers shared this attitude, undertaking reform not to dismantle modern economic institutions but to ameliorate and

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improve the conditions of industrial life. Toward the worst consequences of corporate malfeasance and callous pursuit of profit, Progressives accommodated the public with promises to demand corporate social responsibility.¹⁵ To mitigate class conflict Progressives called upon the government to remove the most conspicuous evils of urban life, promote greater economic equality and subordinate vested and individual interests to the "general welfare." An upsurge in craft unionism prompted some industrialists to seek a cooperative approach to industrial relations. This culminated with the founding of the National Civic Federation in 1898. Seeking to foster employer acceptance of conservative forms of unionism by negotiating industry-wide agreements through trade associations, Federation leaders denounced all forms of radicalism.¹⁶

In the extractive industries of the West, however, clashes between employers and labor worsened. In Colorado, for example, conflict between the Western Federation of Miners (WFM) and employers' associations degenerated into deadly violence in 1904. Some of the violence in the Cripple Creek strike was attributable to private detectives acting as *agents provocateurs*.¹⁷ Pinkerton agent Charles Siringo had infiltrated the WFM as early as 1891 achieving a position of power. When the Governor of Idaho was assassinated in 1907, the State consigned the investigation to private detectives. Local banks and mine owners paid for the detective work and prosecution in the resulting conspiracy case. One operative became a lead canvasser for the defense team's jury selection process. Others infiltrated the defense. Prosecutors targeted the union leadership. A number of spies testified at the trials but they were exposed, resulting in an acquittal for the defendants. The outcome in that case had far reaching implications. Samuel Gompers was encouraged to charge a frame-up in a subsequent dynamite conspiracy case that involved members of the Bridge Workers Union. Convictions in that trial, enabled through the detective work of the William J. Burns Detective Agency, would lead to the subsequent break between the American Federation of Labor and the International Workers of the World.¹⁸

The Industrial Workers of the World (IWW) had been born when socialists Eugene Debs and Daniel DeLeon responded to WFM overtures in 1905.¹⁹ By 1912, the IWW had abandoned Socialism. The union made "sabotage" and "direct action" the core of a program that asserted the efficacy of class war through economic pressure. Fears of insurrection had abated in the big cities, but as economic development and class conflict began to affect the Midwest, South and Southeast, these regions saw the formation of employer's associations and the repression of radical labor unions.²⁰ Local communities, however, had difficulties coping with IWW strategy and they began to turn to the federal government for help.

William Preston Jr., has attributed the initial federalization of anti-radicalism to this process: As the IWW and Socialist Party parted ways in 1912, conservative California Republicans endeavored to eliminate the IWW and overturn Progressive domination of the state. They manipulated public disgust over the incumbent administration's tolerant policy toward IWW recruiting campaigns, enlisting anticommunist rhetoric for partisan purposes. A citizen's committee sponsored by sugar magnate John D. Spreckels and Los Angeles *Times* editor Harrison Gray Otis, sent a representative to President Taft. He lobbied the President for a federal indictment against the IWW for "conspiring to overthrow the government of the United States and to invade Mexico." As Preston explains, "Lacking any evidence of criminal activity, they envisioned the federal government as a *deu ex machina* for their difficulties with radicals." The Justice Department did not find sufficient evidence for a conspiracy indictment, but the appeal to the federal government "exemplified the character of future anti-radical behavior."²¹

Meanwhile, the American Federation of Labor wooed the Democratic Party with votes in return for support for craft-unionism during the Presidential campaign of 1912. As a consequence, most AFL unions were able to build a "firm alliance" with the Democratic Party by the middle of Woodrow Wilson's Presidency.²² The alliance, however, failed to bring an end to industrial espionage. The William J. Burns Detective Agency, founded in 1910 by former Secret Service agent Burns, provided serious competition to the Pinkertons.²³ A Congressional Investigator in 1914 found 275 detective agencies that supplied industrial espionage services. Stories of agents-provocateurs pre-occupied the editorialists of trade union journals.²⁴ That same year, a detective arrested for possession of dynamite alleged that he had been directed to plant it to discredit labor unions.²⁵ In a Michigan copper strike, two detectives testified that their agency instructed them to 'make business' by inciting riots among strikers.²⁶ An informant for the Schmittburger Detective agency incited a riot to maintain his position.²⁷ Not surprisingly, craft-workers did not all become ardent supporters of corporate-democratic order.

Every year from 1916-1922, more than one million workers participated in strikes. In the munitions industry, strikes were widespread during 1916. Sixty-seven strikes occurred between April and September of 1917, each involving more than 10,000 workers. Machinists, miners and other extractive and processing workers were especially active.²⁸ By the autumn of 1917, the confluence of antiwar agitation and unprecedented strike activity prompted the Wilson administration to devote special attention to labor in its war mobilization measures. The administration solicited cooperation from

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existing unions and demanded that both industry and labor refrain from trying to "change existing standards." The Wilson administration aided those segments of organized labor that supported the war, while harassing and destroying those that opposed it.²⁹

President Wilson had also issued an Executive Order calling upon the Justice Department to combat "sabotage and espionage" after the July 30, 1916 explosion at an ammunitions transfer point in New York Harbor.³⁰ Bureau of Investigation agent numbers increased from 300 to 400.³¹ Nearly all "dangerous" Germans had been apprehended and interned within hours of the declaration of war however, nearly obliterating the German spy system in the United States.³² Thereafter, the BI vigorously re-directed its efforts against American radicals and pacifists. The BI deputized vigilantes from patriotic citizen organizations such as the American Protective League (APL). The League was composed of businessmen, professionals and local government officials. In Philadelphia, members of the Chamber of Commerce provided for its expenses. In Chicago, the Commonwealth Edison Company provided offices. Many members even received army commissions. APL vigilantes involved in 25,000 undercover operations against radical organizations. Using a belatedly disproved charge of "enemy funding," for example, the BI and its APL auxiliaries conducted an anti-labor drive against the International Workers of the World.³³ On September 5, 1917, Bureau of Investigation agents and their deputized vigilantes raided IWW headquarters and union offices across the country. They seized records, documents, correspondence, and literature. Within six months, two thousand Wobblies, including the entire IWW executive board, were in jail awaiting trial. Most were eventually convicted of violating wartime statutes and sentenced to long jail terms.³⁴

More research needs to be done in this area, but indications exist that detective agencies and vigilante groups were also involved in wartime repression. When the Governor of Washington used National Guard funds to create a force against the IWW, for example, he brought in a New York detective agency to staff the unit.³⁵ In Bisbee, Arizona, the Thiel Detective Agency provided intelligence on the IWW to Military Intelligence.³⁶ In Minnesota, detective L. W. Boyce and his Northern Information Bureau contracted with Military Intelligence to provide information on IWW activities in the grain and milling industries.³⁷ In Tulsa, Oklahoma, at least three detectives joined the IWW local. Two of them became union officers. Pinkerton detective George Harper was planted in the cell of a defendant and surfacing him to testify at trial, thereby producing the only trial in which a member of the IWW faced direct charges involving a specific incident of violence. Vigilante groups, especially the newly re-established Ku Klux Klan,

were also a major factor in the decline of the IWW in the Oklahoma Oil fields. Between 1918-1919, the Klansmen also began patrolling military bases to drive out bootleggers, prostitutes and "laborers infected with the IWW spirit."³⁸ They joined rightist organizations such as the National Security League and the American Defense Association.³⁹ The APL also conducted extensive vice raids during the war.⁴⁰ BI headquarters would undertake similar work beginning in 1920.⁴¹

In Butte Montana, the Anaconda Copper Mining Company, aided by the Burns Detective Agency the APL and the state militia destroyed the union and forced an open shop.⁴² Years later, the Department of Justice would admit that IWW organizing activities "were directed to bettering the economic conditions of the strikers and not for the purpose of opposing the United States in its conduct of the war."⁴³ The immediate result, however, was that army troops were stationed in Arizona, Montana, Washington and Oregon to prevent the sabotage of vital copper and timber production. Military Intelligence agents raided IWW halls and incarcerated activists. State courts, citing the need for protective custody against vigilantism, denied writs of habeas corpus. In 1918, Military Intelligence agents and Pinkerton detectives who had infiltrated the IWW helped to provoke a strike in Butte, Montana in order to legitimate incarcerations.⁴⁴

The 1918 "slacker raids" in which thirty-five BI operatives and two thousand APL vigilantes launched a dragnet operation against draft dodgers, involved widespread violations of civil liberties. Only a tiny percentage of these arrests resulted in convictions.⁴⁵ According to one allegation, detectives in the New York office of the Hamilton Detective Agency arrested and imprisoned servicemen until their leaves ran out, so that they could classify them as deserters.⁴⁶ The Justice Department continued to engage in anti-radical operations into the post-war period as well. In the wake of a June 1919 bomb explosion on the steps of his home, Attorney General A. Mitchell Palmer secured \$500,000 from Congress to pursue American radicals. He created a new anti-radical division and appointed former head of the Secret Service and renowned private detective, William J. Flynn as BI chief.⁴⁷

He appointed J. Edgar Hoover to head the anti-radical division. Hoover quickly managed to expand the scope of federal efforts, engaging one third of his agents to spy on Socialists, Communists, anarchists and IWW members. They accumulated a file of 150,000 names within three months. Entries would rise to 450,000 by 1921. APL reports and information from police Red Squads and private detective agencies aided him considerably.⁴⁸ The division also reproduced political cartoons, and wrote and distributed reports to the press. Selective quotations from radical speeches, pamphlets

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and periodicals were used to expose radicalism in newspapers and magazines.⁴⁹

In November 1919, the BI and local police conducted dragnet raids to round up and deport Russian anarchists. Then, on January 1, 1920, BI agents, assisted by local police and vigilantes, rounded up, arrested, interned and interrogated over 10,000 people. They were accused of membership in the recently created Communist and Communist Labor Parties. Six thousand of those arrested, however, had to be immediately released; they either were American citizens or were not enrolled in either organization. Their names had appeared in GID files due to Flynn's expansive order. More than half of the remainder had not been served arrest warrants. Seventy-one percent of the deportation warrants served were eventually canceled by Bureau of Immigration Director Louis Post. Post found that the Communist parties had simply carried over the names of many Socialist party members onto the new roles without informing them.⁵⁰

The raids severely weakened the CP and CLP. The IWW was also decimated. The small numbers of remaining anarchists were isolated.⁵¹ Nevertheless, J. Edgar Hoover declared in April that "at least fifty percent of the influence behind the recent series of strikes was traceable directly to communist agents."⁵² The BI began "general intelligence work, including not only ultra-radical activities but also to the study of matters of an international nature, as well as economic and industrial disturbances incident thereto."⁵³

In the early 1920s, continuing inflation fueled militant wage demands and rebellions against the slow-moving bargaining machinery of the national unions. A surge in wildcat strikes by skilled craftsmen resisting scientific management techniques took place. Unskilled workers in the extractive industries of the West and immigrant factory workers in the nation's industrial heartland carried out a simultaneous wave of strikes.⁵⁴ Yet the most radical subversive threat to the industrial capitalist order, industrial syndicalism, was defeated. Employers, the state and craft unions were unalterably opposed to any sort of recognition. Relying on loose forms of organization necessary for unskilled, dynamic mass action and tactics adapted to mass unrest among industrial workers, the movement culminated in an open confrontation with employers and the new state apparatus. Militancy and dynamism were checked. Few unions survived the deflationary cycle that brought unemployment and a downward pressure on wages during the mid-twenties. As inflation gave way to depression, the national authority and discipline of unions became indispensable to maintaining wages and shop conditions.⁵⁵ Overt political repression by an infant federal anti-radical apparatus however, played an instrumental role in

defeating industrial labor, at that time the greatest social movement endeavoring to subvert the industrial-capitalist order.

Private Detectives and Federal Agents after WWI

In 1924, Senator Burton K. Wheeler of Montana declared that private detectives constituted as much as 75% of the total attendance at radical meetings. While the figure was surely an overestimation, Wheeler's suggestion that private detectives played significant role in the defeat of industrial labor after WWI is worth pursuing.⁵⁶ The Marshalls Detective Service, for example, took advantage of WWI to drum up business in the Milling Industry. Alleging that plots between the IWW and German-Americans threatened the Seed, Milling and Oil industries, Marshalls Service detectives achieved positions of power within the IWW throughout Minnesota. In 1920, a detective induced members of Machinist's Union No. 91 to join the IWW. He then turned the membership list over to the BI. In Missouri, Marshalls detectives worked with Klansmen and forwarded IWW intelligence to the BI.⁵⁷ While historians have analyzed interrelationships between economic change, unions, employers and government, they have not assessed the role of private detective agencies in a systematic way.

As the foregoing narrative has indicated, two model studies have addressed the efficacy of labor spies who infiltrated the Worker's Benevolent Association in 1873 and the United Mine Workers in 1904. This article culled scattered material on detectives who worked with the Bureau of Investigation and Military Intelligence to infiltrate the IWW. As for the activities of private detectives in other unions, we have been restricted to anecdotal accounts from magazines, newspapers and legislative investigations.⁵⁸ More recently, some Pinkerton detective agency files have been opened for researchers.⁵⁹ The most detailed sources on detective agency activities during the 1920s and early 1930s, are contemporary muckraking reports published by pro-labor organizations. Researchers must use these exposes carefully, as they may exaggerate their role in breaking unions.⁶⁰ Nevertheless, such works are important in that they point to possible areas for further research. The reader is referred to the works of Robert Dunn, Leo Huberman and Sidney Howard (cited below), as well as Joan Spielman's edited compilation of labor spy documents dated 1918-1923.

According to Sidney Howard and Robert Dunn, the Pinkerton, Burns and Thiel agencies listed 135,000 men on their combined rolls during the 1920s. They operated over ten thousand local branches, with seventy-five per cent of their operatives under cover in various labor organizations. Their combined annual income was \$65,000,000. S. S. Dawson, manager of a

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Pittsburgh agency, asserted that his spies worked their way into leadership posts in some twenty-four federated unions. These undercover agents effected union policy. In the wake of the 1919 steel strike, for example, officials of Sherman Service, Inc. were accused of having instructed their South Chicago detectives to stir up "racial hatred" between Serbian and Italian workers.⁶¹ One Sherman Service official in Chicago, R. V. Philips, was indicted for a scheme to "kill and murder diverse large numbers of persons," the blame for which was to fall upon the strikers.⁶²

Detectives stole money from union treasuries and strike relief funds.⁶³ Labor leaders accepted bribes and joined detective agency payrolls. One effective technique was to use two "inside operatives" in each shop, one to observe and one to propagandize. "Shop-observers" recorded the conversations of employees, identified leaders and recommended steps for disposing of them. They stole files, union books, lists of members and financial statements. The "propagandist," meanwhile, attempted to prevent strikes by offering bribes, compromising militants through blackmail and obtaining elective office to influence policy. From the floor other operatives heckled speakers, asked embarrassing questions and preached defeatism. They charged union officials with duplicity and attacked the integrity of financial officers. They backed one leader against the other, corrupting union elections forcing issues prematurely. Different types of operatives would induce unions to abrogate agreements by keying to sticking points that would create strikes that had no possible chance of support or success.⁶⁴

A contemporary advertisement from Robert J. Foster's Industrial and Detective Bureau of New York offered to "control the activities of the union and direct its policies" in cases where unionization was in its infancy. In circumstances where unions already existed, the advertisement assured that the agency could "carry on an intrigue, which would result in factions, disagreement, resignations of officers and a general decrease in membership." It proclaimed that, "if a strike were called, we would be in a position to furnish information, etc., of contemplated assaults." During strikes, other operatives could provoke pickets into violence.⁶⁵ Detective agencies also contracted with and acted as salesmen for munitions suppliers.⁶⁶

Detective agencies, of course, also pursued their own agendas. They exaggerated the threat of radicalism. Their undercover operatives sometimes induced violence and preached militancy. They "reworked" and "digested" the intelligence to impress clients and ensure service contract renewal. In Minneapolis, one agency worked for both a union and an employer in the same strike.⁶⁷ Individual operatives also did their own freelance provocateur work: One labor spy, "Z-123" promoted the union among non-union

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employees. The company discharged him for radicalism. After the manager of the firm he was working in severed the relationship with his Detective Agency, "Z-123" joined the union, discussed his grievances regarding his discharge and persuaded the union to make trouble for the management.⁶⁸

Such entrepreneurs had gained additional opportunities during the federal government's WWI and Red Scare raids. One spy brought five hundred copies of the Communist Manifesto, printed by the radical department of a detective company, to New York. He distributed them to various workers' organizations, in order to encourage anti-radicalism and furnish the BI with material for seizure. Dmytro Iwankiw, an employee of the Pittsburgh detective firm of Armesworthy and Cavitt, became an organizer and leader of the local branch of the Communist Party. After organizing his chapter under the auspices of the agency and having enlisting a considerable membership, he proceeded to furnish the Department of Justice with the information essential for a raid.⁶⁹

Bureau of Industrial Relations Director Niles Orin Shively embarked on a scheme to crush organized labor in New Jersey, Pennsylvania, Illinois, Maryland and Ohio. He employed "Operative 0-3," better known as James A. Cronin, who was the President of the Central Labor Union of Philadelphia, in order to break morale. Their plan involved taking absolute control of the local advisory board of the International Textile Union and the Associated Silk Workers. Cronin himself planned to set up his own independent agency to disrupt Textile Mills in New Hampshire and New Jersey. The BI would then act as an intelligence feeder to agencies with a former government investigator running his own concern.⁷⁰

BI agents and the detectives then, often had overlapping concerns. They also used similar tactics. Former BI agent Albert Bailin, claimed that Burns Agency and Thiel Agency agents "dictated the policy of the I. W. W. propaganda committee that issued radical manifestos and literature."⁷¹ Six days before the January 1920 Communist raids, the Assistant Director of BI headquarters issued directed his informants to call meetings on the night of the raid to facilitate the roundups.⁷² Judicial proceedings in Massachusetts revealed that one BI undercover informant founded his own Party local. Key documents utilized in deportation hearings-the platform and a BI agent had written the manifesto of the Communist, in part. These activities prompted presiding Judge George W. Anderson to declare "What does appear, beyond reasonable dispute, is that the Government owns and operates some part of the Communist Party."⁷³ Anderson proclaimed, "I cannot adopt the contention that government spies are any more trustworthy, or less disposed to make trouble in order to profit therefrom, than are spies in private industry."⁷⁴

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After the raids, some of the nation's most distinguished attorneys compiled a critical report. Newly formed Civil Liberties lobbies such as the National Civil Liberties Board (NCLB) also expressed outrage.⁷⁵ Civil Libertarians encountered difficulty however, when they tried to persuade the American public that the rule of law was a desirable goal.⁷⁶ In 1921, for example, ACLU lawyer Frank Walsh argued that the BI, through connections with private detectives, had planted evidence and illegally appropriated federal funds to enforce a State anti-syndicalism law. Nevertheless, a Michigan jury convicted Charles E. Ruthenberg, a Communist Part organizer.⁷⁷

Characterizing the signers of the NPGL report as conspirators, the BI investigated the political and professional activities and the personal lives of the twelve lawyers who had compiled the NPGL report. It secretly worked to discredit their campaign and disrupt their activities. The BI also investigated Secretary of Labor Louis Post, who had refused to deport most of the aliens rounded up in the 1920 raids, for "links" to the IWW. The International World Movement had also been investigated when it began looking into conditions in Immigration Bureau jails where the aliens were incarcerated. These investigations were entirely secret. Anti radical division administrator J. Edgar Hoover had learned "that due process needs to be respected, at least publicly." Hence, "fear of adverse publicity would become an important, if not central element in the formulation of Bureau internal security policies."⁷⁸

William Burns was appointed to the BI directorship when the Harding administration entered the White House. The William J. Burns International Detective Agency had often undertaken government work under contract.⁷⁹ Under Burns, BI agents and Burns Detective Agency operatives worked together to suppress the IWW. The espionage director for seven Arizona copper mining companies convinced Burns to provide two federal agents to work within the Old Dominion Copper Company of Globe, Arizona. A provocateur named Haines became an IWW organizer in June 1923, in order to affect statewide organizing. Another BI agent proceeded to intimidate and arrest a genuine organizer, so that Haines could convince him to leave the union.⁸⁰ After local authorities arrested Haines, his successor, J. J. Spear, continued to sign up new members and collect union dues. Spears then set up arrests by providing workers with illegal IWW membership cards.⁸¹

Burns also embarked upon a scheme to use the California legislature in order to put his competitors out of business and takeover industrial espionage in that state. G. P. Pross, manager of the Burns Detective Agency's Los Angeles office, planned to set himself up as the manager of a state investigation bureau.⁸² BI agents even placed US Congressmen and Senators under surveillance. They burglarized the offices of Congressman Oscar

Keller and William Borah, all outspoken critics of the Harding administration.⁸³ The BI also became notorious for its employment of criminals and con men during this period. Gaston Means, who had spied for both the British and the Germans during World War I, sold Bureau protection, liquor licenses to bootleggers and pardons to convicted liquor traffickers. William J. Burns was eventually brought down after it was proved that Bureau agents had placed Senators Burton K. Wheeler and Thomas J. Walsh and their families and friends under surveillance. BI agents had tapped telephones, intercepted mail, broke into offices and homes and copied correspondence and private papers in an effort to blackmail them during the Teapot Dome investigations.⁸⁴

After the 1924 election, Attorney General Harlan Fiske Stone appointed J. Edgar Hoover to head the Bureau. They agreed to dismantle the anti-radical division and relegate the Bureau to strict pursuit of criminal investigations. The deputizing of vigilantes and massive raids ended. No full-scale Justice Department investigation of BI surveillance activities took place, however. Stone also failed to order the BI to turn over or destroy documents relating to its investigations during 1919-1920. Stone, along with Congress and fellow cabinet officials, assumed that the pre-Burns BI had confined its investigations to socialists, communists, radical labor organizers and other 'illegitimate' organizations.⁸⁵

J. Edgar Hoover managed to circumvent legal restrictions for the next fifteen years. Bureau agents continued to monitor radical groups by collecting their publications, attending their meetings and clipping press accounts of their activities. Indeed, on the very day Stone asked Burns to resign, Hoover devised a means for concealing and continuing the BI's covert spying activities. Henceforth, reports gleaned from surveillance were worded to suggest that its contents came not from the agent's own investigation, but from a "confidential informant" or "a very reliable and confidential source."⁸⁶ The BI had been forced to abandon overt intimidation and harassment, but surveillance of lawful political activities continued. The Bureau supplied information to State prosecutors, local police, Military Intelligence, private detective agencies and the AFL. Like the Communist Party then, the Bureau of Investigation would go underground, operating through proxy during the next half-century.⁸⁷ The Bureau was able to escape effective oversight of its covert activities until 1971, because it achieved a mythic status as an incorrupt force of detective-heroes defeating the forces that aimed to subvert American society.

Myth and History: The Detective Hero and American Political Demonology

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In 1924, the IWW published stolen BI documents relating to the Arizona copper intrigues and unmasked William J. Burns' use of agents-provocateurs.⁸⁸ Burns was undone because radicals proved that he had used BI agents for private and partisan purposes. In 1971, Antiwar activists in Media Pennsylvania broke into a FBI office, stole domestic security files and published them.⁸⁹ The 1975 Church Committee investigation, part of the fallout from the Media (and Watergate) scandals, tarnished J. Edgar Hoover's reputation.⁹⁰ In each case, a myth was temporarily destroyed, -the myth of the detective-hero. In each scandal, Burns and Hoover were exposed as hypocritical confidence men, ruthless men on the make who manipulated public fears in order to augment their own political power.

Kathleen Halttunen has analyzed how the confidence man represented the archetypal man on the make in the popular culture of Victorian America.⁹¹ During the Jacksonian era, middle class Americans had represented hypocrisy, personified in the confidence man, as a major threat to traditional social ties. A "vast literature" of antebellum advice manuals linked this figure to concerns about "hypocrisy and sincerity" in the urbanizing, socially mobile "world of strangers," that appeared during the Market Revolution. Between the 1830s and the Victorian era "middle class concerns about the problem of hypocrisy assumed the form of an attack on . . . the confidence man . . . who prowled the streets of American cities in search of innocent victims to deceive, dupe and destroy."⁹² After 1850 however, a "rigid code of Victorian social conduct," as expressed through proper dress and etiquette, mourning rituals, and a middle class parlor culture of charades, pantomime staging and burlesque, allowed for "legitimate" forms of "disguise, masking, and theatrical ritual." These rituals resolved "the middle-class problem of self identification and social status" by "allowing participants to place confidence in social forms" that "defined . . . genteel social status, both individually and collectively, as a class."⁹³ Middle class Victorians came to "accept the idea of a social system filled with liminal men in pursuit of the main chance," so that by the 1870s, the confidence man became "a kind of model for ambitious young men to emulate." The new "success literature" of industrializing America, epitomized by Horatio Alger's *Ragged Dick*, "effectively instructed its readers to cultivate the arts of the confidence man in order to succeed in the corporate business world."⁹⁴ While this ideology declined after the 1870s, its legacy continued to inform middle class ideology, "providing a recurring formula for self-criticism in a culture still plagued with the problems of social mobility."⁹⁵

Alexander Saxton has analyzed how on the symbolic level, the fictional detective's ability to manipulate disguises enabled him to instill respect and fear among his upper class associates and work out the dream of the self-

made confidence man.⁹⁶ This was a central theme in the dime novels and pulp fiction that became so popular during the last decade of the 19th Century. As a number of biographers have pointed out however, the creators of the detective myth were by no means restricted to fiction writers. Real-life detective Allan Pinkerton did much to develop this myth, this in order to counteract bad publicity about his strike breaking activities. Substituting a "rational man of law" for the ex-criminal police informant, and "preserver of disorder," Pinkerton published thrilling dramatizations of real-life cases in which his detectives, acting in the interest of public order, solved crimes and mysteries through the application of scientific reason rather than through entrapment techniques.⁹⁷ William J. Burns made a name for himself by cultivating media coverage of his investigations into land fraud and political corruption cases, achieving mythic hero status by sensationalizing a 1913 dynamite-conspiracy investigation uncovered by detective infiltrators who gained the confidence of union officials.⁹⁸ As BI Director, he used this publicity to expand the Bureau's jurisdiction.

President Theodore Roosevelt had created the Bureau of Investigation in 1908 to take advantage of the first moral panic over criminal activity that reached national proportions in American History. The creation of an "interlocking network of news media," which "provided a regular diet of crime news gathered from police blotters everywhere" had created an impression that a national crisis had ensued.⁹⁹ As Richard Gid Powers pointed out, J. Edgar Hoover also mobilized law in a pageant of popular politics during 1918-1920. He selected targets for his highly publicized dragnet raids against slackers, anarchists, IWW organizers and Communists, because "they could be made into symbols of proscribed ideas or behavior," prefiguring a "War on Crime" during the 1930s.¹⁰⁰

Like Pinkerton and Burns before him, Hoover "infiltrated the action detective story" by demonstrating parallels between FBI cases and action story plots, and portraying his "Government-Men" as the real life version of fictional action-detectives that Americans now idolized in comics, magazines, dime novels and radio shows.¹⁰¹ Orchestrating a moral panic over "gangsters" during the Great Depression, J. Edgar Hoover popularized the image of the G-Man in official press releases, and a Bureau approved radio program.¹⁰² The G-Man was portrayed as a non-partisan professional, armed with scientific techniques and moral rectitude. He embodied fearless devotion to the nation, providing a stark and reassuring contrast to the corporate security forces, anti-labor vigilante groups and private "labor spies" which William La Follette's Senate Committee exposed during this same period.¹⁰³ In subsequent years, the image of professional G-Men as upholders of "Fidelity, Integrity, and Bravery" became a central motif in the

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Bureau's covert operations to influence the American media, creating an unprecedented public confidence in Hoover's moral leadership.¹⁰⁴

Michael Rogin's analysis of the American countersubversive tradition provides context for the success of real-life detective-heroes such as Pinkerton, Burns and Hoover. According to his theory, a pre-political form of demonology in American culture has suppressed politics itself. Animated by this demonology, a countersubversive tradition "converted conflicts of interest in race relations into an all-encompassing, psychologically based dangers to . . . national identity." Confronting the profound social changes wrought by industrialization, and later, internationalism, countersubversives supplemented racist fears of Indian conspiracies and slave revolts, as well as Nativist fears of alien conspiracies, with anticommunist reactions to radical workers, and in the 20th century, national security state concerns about subversives.¹⁰⁵ M.J. Heale has reinforced this theory by demonstrating that "rational calculations and coherent ideological perspectives," rather than a vaguely defined "mindless hysteria," has animated anticommunism in American history. Employers began to use anticommunist demonology during the labor wars of the late nineteenth century, and municipal and State governments entered into coalition with them. Federal bureaucrats adopted and refined the politics of countersubversive anticommunism between the Progressive Era and World War II, responsibility for national security during the Cold War.¹⁰⁶

The concurrent diminution of private labor spying was due to two factors, employer's acceptance of conservative trade unionism, and the larger federal government role in countersubversion.¹⁰⁷ As the La Follette Committee exposed the most provocative and brutal forms of anti-union activities, individual States began to require stricter licensing procedures for private detective agencies.¹⁰⁸ Committee revelations concerning detective and vigilante activities in the auto industry also aided the enforcement of the Wagner Act.¹⁰⁹ If the La Follette Committee symbolized New Deal aspirations for social and economic justice, the countersubversive House Committee on Un-American Activities provided a counterweight, publicizing countersubversive charges that the La Follette Committee's origins, composition and direction betrayed communist sympathies. If the LaFollette found 'local fascism' in the activities of the Associated Farmers of California, the HUAC found 'communist subversion' in LaFollette's Committee.¹¹⁰ Similar uses of countersubversive rhetoric became central to American political discourse for the next thirty years.¹¹¹

During World War Two, radicals and liberals painted domestic fascists and isolationists with the brush of Nazism. During the early Cold War, conservatives returned favor, red baiting liberals in an effort to dismantle the

New Deal.¹¹² In 1948 for example, FBI informant Elizabeth Bentley alleged that La Follette Committee investigator John Abt had worked at the center of a Communist spy ring.¹¹³ The Congressional investigations of the early Cold War allowed the FBI to nurture the politics of anticommunism to such an extent that the FBI's jurisdiction over internal security would become an almost unquestioned aspect of the domestic Cold War. While a powerful civil libertarian tradition had arisen in the legal profession during the response to federal government abuses during WWI, anxieties about the role of propaganda in mass politics led liberals to abandon civil libertarianism during the years of Great Depression and World War.¹¹⁴ In 1936, President Franklin D. Roosevelt made J. Edgar Hoover responsible for combating the "subversive activities" of "Fifth Columnists."¹¹⁵ Over the next decade, Congress and the executive delegated more internal security responsibilities to the presumably professional and non-partisan FBI.¹¹⁶ Liberals disengaged from the popular front and embraced anticommunist domestic-security tenets, even as Conservatives softened their traditional suspicion of executive power. Exploiting opportunity, the FBI nurtured the politics of anticommunism, harassed radicals and employed infiltrators to split, disable and destroy their organizations. By 1956, when the FBI launched its first domestic covert action program, J. Edgar Hoover had begun to build a national security state within a state.¹¹⁷ The old tactics of the labor spy found new uses in the FBI's countersubversive covert action operations.¹¹⁸

J. Edgar Hoover, the premiere American countersubversive activist, was the product of a late-19th Century Sunday School movement that emphasized moral purity, chastity, and the guarding and transmitting of a Victorian culture under siege. In his public speeches during the War on Crime, he had characterized the difference between the criminal and the citizen as one "between respectability and indecency," and demanded social ostracism not just for criminals, but for anyone who expressed any sympathy for them. Echoing the Victorian response to the anxieties provoked by the archetypal figure of the confidence man, he asserted that "Crime multiplies . . . not because people no longer respect law but because they no longer respect respectability."¹¹⁹

By the eve of World War II, the FBI seemingly embodied patriotism, purity, domesticity and religiosity. In 1939 Hoover defined the difference between democracy and totalitarianism by linking the dictator and the gangster, and opposing them to an American conscience:

The pages of history are punctuated by the rise and fall of dictators. They are of three types. In the first instance, there are those who further their own selfish purposes and greed by operating behind a smoke screen of pseudo

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benevolence. Then there are the dictators of the gangster racketeering type who rule by might and even create ideologies to serve their own purposes and justify their own misdeeds. . . .

The third type of dictator is the very antithesis of those which I have mentioned. It is the dictatorship of the people, for the people and by the people. In the United States we call it Democracy-the dictatorship of the collective conscience of our people. We could just as well call it Justice, for America stands for that.¹²⁰

The G-men, a group of heroic detectives who had gained the confidence of the American people, were poised to act as moral guardians of the nation, to play the confidence game against those who would subvert the moral order.¹²¹ For the next thirty years, they would integrate the tactics of the detective tradition into the covert actions of the domestic security-state, promoting the political discourse of countersubversive anticommunism and covertly thwarting social movements that attempted to subvert the increasingly atavistic social, political and racial order of Cold War America.

¹ The entire FBI COINTELPRO file, as released under US Federal court order in 1977 are available as Athan Theoharis ed., *COINTELPRO: The Counterintelligence Program of the FBI* (Wilmington, DE, 1978) [microform].

² The literature on COINTELPRO is extensive. See the footnotes to my publications, working papers, and encyclopedia entry on the subject, posted at <www.geocities.com/Drabbs>

³ On American political demonology and the countersubversive tradition, see Michael Rogin, *Ronald Reagan, The Movie and Other Episodes in Political Demonology*, (Berkeley, 1987), Chapter 2 and 9.

⁴ Robert Pete Weiss, "An Interpretation of the Origin, Development and Transformation of Private Detective Agency Policing in the United States, 1850-1940," (Ph.D. diss., Southern Illinois University, 1980), 1. For a descriptive account of the agency, see Frank Thomas Morn, "The Eye That Never Sleeps: A History of the Pinkerton National Detective Agency, 1850-1920," (Ph.D. diss., University of Chicago, June 1975). See also, James D. Horan, *The Pinkerton*, (New York, NY, 1967).

⁵ *Ibid*; Sidney Lens, *The Labor Wars: From the Molly Maguires to the Sitdowns*, (Garden City, 1973), 117.

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- ⁶ Robert A. Pinkerton, "Detective Surveillance of Anarchists," *North American Review*, 173 (November, 1901), 615. See also Allan Pinkerton, *The Mollie Maguires and the Detectives*, (New York, 1878).
- ⁷ Anthony Bima, *The Molly Maguires*, (New York, 1932), 71, 80-81; Lens, *Labor Wars*, 31; Kevin Kenney, *Making Sense of the Mollie Maguires*, (New York, 1998), 199, 229-246.
- ⁸ Kenney, *Making Sense of the Mollie Maguires*, 245-263.
- ⁹ Weiss, "Private Detective Agency Policing," 6, 16-33, 62; Frank Richard Prassel, *The Western Peace Officer*, (Norman, 1972), 134-149; Charles A. Siringo, *Two Evil Isms: Pinkertonism and Anarchism*, (Chicago, 1916), 46; Dean F. Krakel, *The Saga of Tom Horn*, (1954. reprinted Lincoln, 1982). See also Charles A. Siringo, *A Cowboy Detective*, (Chicago, 1912); Tom Horn, *Life of Tom Horn*, (1904; reprinted Norman, 1964).
- ¹⁰ Quotations are from Lens, *Labor Wars*, 39, 60-62.
- ¹¹ Weiss, "Private Detective Agency Policing," 98-104.
- ¹² *Ibid.*
- ¹³ American Social History Project, *Who Built America? Working People and the Nation's Economy, Politics, Culture and Society*, (New York, 1989), Vol. II, Vol. II, 125.
- ¹⁴ M.J. Heale, *American Anticommunism: Combating the Enemy Within 1830-1970*, (Baltimore, 1990), 36, 38; Walter LaFeber, *The American Search for Opportunity, 1865-1913* (Cambridge, 1993), 187-88.
- ¹⁵ Arthur S. Link and Richard McCormick, *Progressivism*, (Arlington Heights, 1983).
- ¹⁶ American Social History Project, *Who Built America?* Vol. II, 187.
- ¹⁷ Richard O. Boyer and Herbert M. Moras, *Labor's Untold Story*, (New York, 1955), 152-155; Robert Wayne Smith, *The Cour d'Alene Mining War of 1892*, (Corvallis, 1961), 89, 100.
- ¹⁸ Anthony Lukas *Big Trouble: A Murder in a Small Western Town Sets off a Struggle for the Soul of America* (New York, 1997); Rhodri Jeffries-Jones, *Violence and Reform in American History*, (New York, 1978), 58-77, 104; David H Grover, *Story of the Haywood Trial*, (Corvallis, 12-21); Smith, *The Cour d'Alene Mining War*, 62-67; Morris Friedman, *The Pinkerton Labor Spy* (New York, 1907), 34-35, 50-55, 163-195.
- ¹⁹ A highly placed Pinkerton detective signed the IWW founding document. Lukas *Big Trouble*, 232.
- ²⁰ William Preston, Jr., *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933* (New York, 1963), 56; Heale, *American Anticommunism*, 46-51, 54.
- ²¹ *Ibid.*, 54.
- ²² *Ibid.*, 212-213; Heale, *American Anticommunism*, 42-46; Melvyn Dubofsky, "Abortive Reform: The Wilson Administration" in James E. Cronin and Carmen

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Sirianni (eds), *Work, Community, and Power: The Experience of Labor in Europe and America, 1900-1925* (Philadelphia, 1983), 197-220.

²³ Roy Talbert Jr., *Negative Intelligence: The Army and the American Left, 1917-1941*, (Jackson, 1991), 39.

²⁴ Robert Michael Smith, "From Blackjacks to Briefcases: Commercial Anti-Union Agencies, 1865-1985," Ph.D. diss., (University of Toledo, 1989), 77. See also David J. Goldberg, *A Tale of Three Cities: Labor Organization and Protest in Patterson, Passaic and Lawrence, 1916-1921* (New Brunswick, 1989), 12; Steve Golin, *The Fragile Bridge: Paterson Silk Strike, 1913*, (Philadelphia, 1988), 79, 92.

²⁵ "Dynamite 'Plant' Arrests: California Men Accused of Plotting to Discredit Labor Unions," *New York Times*, 4 October, 1914.

²⁶ "The Private Armies of Capital," *Literary Digest*, 4 April, 1914.

²⁷ Jones, *Violence and Reform*, 95-99.

²⁸ James E. Cronin, "Labor Insurgency and Class Formation", *Social Science History*, 4 (February, 1980), 125-152; David Montgomery, "New Tendencies in Union Struggles and Strategies in Europe and the United States, 1916-1922", in Cronin and Sirianni (eds), *Work, Community, and Power*, 88-116; Martin Shefter, "Trade Unions and Political Machines", in Ira Katznelson and Aristide R. Zolberg (eds), *Working Class Formation: Nineteenth Century Patterns in Europe and the United States* (Princeton, 1986), 274-5.

²⁹ Montgomery, "New Tendencies", in Cronin and Sirianni (eds), *Work, Community and Power*; American Social History Project, *Who Built America? Vol. II*, 236-238, 249-51.

³⁰ Athan G. Theoharis and John Stuart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition*, (Philadelphia, 1988), 48-49.

³¹ Sanford J. Ungar, *FBI* (Boston, 1975), 41.

³² Curt Gentry, *J. Edgar Hoover: The Man and the Secrets* (New York, 1991), 71.

³³ Talbert, *Negative Intelligence*, 52-53; Joan M. Jensen, *The Price of Vigilance*, (New York, 1978), 59-61.

³⁴ American Social History Project, *Who Built America? Vol. II*, 251-252; Gentry, *J. Edgar Hoover*, 71. Heale, *American Anticommunism*, 51-58; Philip Taft, "The Federal Trials of the IWW," *Labor History* 3 (Winter 1962), 57-91. .

³⁵ Hunt, *Front Page Detective*, 148..

³⁶ Talbert, *Negative Intelligence*, 95.

³⁷ *Ibid.*, 39-40, 184. On MI's relationship with the BI, see *idem*, 41-54.

³⁸ Nigel Anthony Sellars, *Oil, Wheat and Wobblies: The Industrial Worker of the World in Oklahoma, 1905-1930*, (Norman, 1998), 97, 102-106, 110, 119, 122-133, 163-166. See also, Wyn Craig Wade, *The Fiery Cross: The Ku Klux Klan in America* (New York,

1987), 149-150; Shawn Lay ed., *The Invisible Empire in the West: Towards a New Historical Appraisal of the Ku Klux Klan in the 1920s*, (Urbana, 1992), 6.

³⁹ Merle Curtie, *Roots of American Loyalty*, (New York, 1968), 224-225; David Kennedy, *Over Here: the First World War and American Society*, (New York, 1980), 12, 24, 67-69.

⁴⁰ Emerson Hough, *The Web*, (Chicago, 1919), 216-217, 328-331, 354.

⁴¹ FBI Files, Classification 13, National Defense Act, Prostitution, Selling Whisky Within Army Camps (1920). See also Records of the United States Army Commands, Record Group 338, National Archives.

⁴² *Ibid.*, 97.

⁴³ U.S. Department of Justice. Annual Reports of the United States Attorney General, 1923, 371; 1925, 401; Max Lowenthal, *The Federal Bureau of Investigation*, (New York, 1950), 95.

⁴⁴ Talbert, *Negative Intelligence*, 99-107; Preston, *Aliens and Dissenters*, 103, 106-107, 144-149.

⁴⁵ Gentry, *J. Edgar Hoover*, 71-74; Ungar, *FBI*, 42. See also Jensen, *Price of Vigilance*, 188-196; Lowenthal, *Federal Bureau of Investigation*, 24-29.

⁴⁶ Edward Levinson, *I Break Strikes! The Technique of Peal L. Berghof*, (New York, 1935), 198-199.

⁴⁷ Letter, W.J. Flynn, Director, Bureau of Investigation, to all Special Agents and Employees, August 12, 1919. An Extract is reprinted in National Popular Government League, *To the American People: Report on the Illegal Practices of the Department of Justice*, (June 22, 1920), 37. Hereafter cited as NPGL Report.

⁴⁸ Lowenthal, *Federal Bureau of Investigation*, 84; Gentry, *J. Edgar Hoover*, 80-81.

⁴⁹ *Red Radicalism, as Described by Its Own Leaders* (Washington DC, 1920), reprinted in the NPGL, *Report*, 64-6; Robert Cohen, *When the Old Left Was Young: Student Radicals and America's First Mass Student Movement, 1929-1941*, (New York, 1993), 298n. The *New York Times*, for example, published translations from a large sample of foreign language radical newspapers on 8 June 1919.

⁵⁰ When Socialist leaders formed the CP and CLP, they had simply signed over their members into the new parties. Theoharis and Cox, *The Boss*, 58-64; Richard Gid Powers, *Secrecy and Power: The Life of J. Edgar Hoover*, (New York, 1987), 69-80, 96-105; Gentry, *J. Edgar Hoover*, 80-102. Military Intelligence operatives had worked to facilitate the CP-CLP split. Talbert, *Negative Intelligence*, 186-187.

⁵¹ Theodore Draper, *The Roots of American Communism* (Chicago, 1957); Powers, *Secrecy and Power*, 125, 515n; Riving Howe and Lewis Coser *The American Communist Party* (New York, 1962), 91-92; Cohen, *When the Old Left Was Young*, 299; John S. Gamba *The Decline of IWW* (New York, 1932).

⁵² Lowenthal, *Federal Bureau of Investigation*, 118-119.

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- ⁵³ Ibid., 85. When the Communists split from the Socialist Party, they simply took membership lists with them. Louis F. Post, *The Deportation Delirium of Nineteen Twenty: A Personal Narrative of a Historic Official Experience* (Chicago, 1923).
- ⁵⁴ Shefter "Trade Unions" in Katznelson and Zolberg (eds), *Working Class Formation*.
- ⁵⁵ Larry Peterson, "One Big Union" in Cronin and Sirianni (eds), *Work, Community, and Power*, 75-80.
- ⁵⁶ Lowenthal, *Federal Bureau of Investigation*, 89.
- ⁵⁷ Jean E. Spielman, *The Stool Pigeon and the Open Shop Movement*, (Minneapolis, 1923), 17-41, 55-71, 157, 164-165, 185, 199-204.
- ⁵⁸ As they are too numerous to list here, refer to the citations in the Ph.D. dissertations, manuscripts and exposes noted in these footnotes.
- ⁵⁹ For a brief description of the holdings, see <http://www.loc.gov/today/pr/2000/00-074.html>.
- ⁶⁰ Sidney Howard with Robert Dunn, *The Labor Spy* (New York, 1924), 32-39.
- ⁶¹ See for example, Ibid., 41.
- ⁶² Ibid.; Lens, *Labor Wars*, 250-251; Robert W. Dunn, *Spying On Workers*, (New York, 1932), 8-10.
- ⁶³ Leo Huberman, *The Labor Spy Racket*, (New York, 1937), 46.
- ⁶⁴ Howard and Dunn, *The Labor Spy*, 60-63.
- ⁶⁵ Ibid.; 24; Howard McLellan, "The Shadow Business," *North American Review*, July 1930.
- ⁶⁶ The lawyer for the Railway Audit Detective Agency, for example was District Manger for Federal Laboratories Inc., which supplied munitions for strike guards. Huberman *Labor Spy Racket*, 93-103.
- ⁶⁷ Howard and Dunn, *The Labor Spy*, 14-17; Smith, "From Blackjacks to Briefcases," 99-100.
- ⁶⁸ Ibid., *The Labor Spy*, Chapter 1, 14-17, 60-63.
- ⁶⁹ Ibid., *The Labor Spy*, 117-119, 160; NPGL, *Report*, 30-31.
- ⁷⁰ Ibid, 160.
- ⁷¹ Spielman, *Stool Pigeon*, 195, 203-204. See also Frank Donner, *The Age of Surveillance: The Aims and Methods of America's Political Intelligence System*, (New York, 1981), 46; Lowenthal, *Federal Bureau of Investigation*, 276.
- ⁷² Letter, Assistant Director Frank Burke, to George E. Keller, Head of the Boston Local Bureau, December 27, 1919, "Confidential Instructions" reprinted in *Coyler et. al. v. Skeffington*, (District Court, D. Massachusetts 265 F. 17 June 23, 1920), 32.
- ⁷³ NPGL, *Report*, 37-41. See also Zechariah Chaffee Jr., *Free Speech in the United States*, (Cambridge, 1954), 217.

⁷⁴ *Coyler et. al. v. Skeffington*; Powers, *Secrecy and Power*, 116-117.

⁷⁵ NPGL Report; W. Anthony Gengarelly, *Distinguished Dissenters and the Opposition to the 1919-1920 Red Scare*, (Lewiston, 1996).

⁷⁶ Paul L. Murphy, *World War I and the Origins of Civil Liberties in the United States*, (New York, NY, 1979), 63-64, 246-247; Jerold S. Auerbach, *Unequal Justice: Lawyers and Political Change in Modern America*, (New York, NY, 1977), 106; Zechariah Chafee Jr., *Free Speech in the United States*, (Cambridge, 1954), 554.

⁷⁷ Donald Johnson, *The Challenge to American Freedoms: World War I and the Rise of the American Civil Liberties Union*, (Lexington, KY, 1963), 4-5, 165-171; Michael L. Belknap, "The Mechanics of Repression: J. Edgar Hoover, the BI and the Radicals, 1917-1925," *Crime and Social Justice*, Spring-Summer 1977, 49-58..

⁷⁸ David Williams, "'Without Understanding', The FBI and Political Surveillance, 1908-1941" Ph.D. diss., (University of New Hampshire, 1981), Chapter 6.

⁷⁹ Murray B. Levin, *Political Hysteria in America: The Democratic Capacity for Repression*, (New York, 1971), 189.

⁸⁰ Howard, *The Labor Spy*, 144.

⁸¹ *Ibid.*, 150-152.

⁸² *Ibid.*, Ch. 8.

⁸³ Gaston Means claimed that he had burglarized Senators Robert La Follette's office for the BI. Williams, "Without Understanding," 221-224; Theoharis and Cox, *The Boss*, 76; Gentry, *J. Edgar Hoover*, 115-123; Powers, *Secrecy and Power*, 139-143.

⁸⁴ The Teapot Dome scandal involved access to resource-rich public lands to extractive industries that carried favor with the administration. *Ibid.*; Lowenthal, *Federal Bureau of Investigation*, 289-293; M. R. Werner, *Private Characters*, (New York, 1935), 162-165, 311-314; Carl Solberg, *Oil Power: The Rise and Imminent Fall of an American Empire*, (New York, 1976), 85-107.

⁸⁵ Williams, "Without Understanding." 253-259.

⁸⁶ *Ibid.*, 259- 302; David Williams, "'They Never Stopped Watching Us': FBI Political Surveillance, 1924-1936," *UCLA Historical Journal*, (1981); Theoharis and Cox, *The Boss*, 92-93.

⁸⁷ *Ibid.*; Powers, *Secrecy and Power*, 161-169; Gentry *J. Edgar Hoover*, 104.

⁸⁸ Johnson, *The Challenge to American Freedoms*, 172

⁸⁹ Citizens Commission to Investigate the FBI, "The Complete Collection of Political Documents Ripped Off From the FBI Office in Media Pennsylvania, March 8, 1971," *WIN Magazine*, 8:4-5, March 1972.

⁹⁰ US Congress, Senate. *Hearings before the Select Committee to Study Governmental Operations with Respect to Intelligence*, Activities of the United States Senate, 94th Cong., 1st Sess.; US Congress, Senate. *Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, 94th Cong., Second Sess.

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⁹¹ Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle Class Culture in America, 1830-1870*, (New Haven, 1982), 198.

⁹² This literature also attacked a second archetype, that of the "painted woman . . . of fashion, who poisoned polite society with deception and betrayal by dressing extravagantly and practicing empty forms of false etiquette." *Ibid.*, xiv-xv.

⁹³ *Ibid.*, 196.

⁹⁴ *Ibid.* 198-199.

⁹⁵ Halttunen discusses Dale Carnegie's *How to Win Friends and Influence People* in this context. *Ibid.*, 198, 208 209.

⁹⁶ He discusses a transition in dime novel heroes from Indian Haters to private detectives. Alexander Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth-Century America*, (London, 1990), 331-340.

⁹⁷ Elliot L. Gilbert, "McWater's Law: The Best Kept Secret of the Secret Service," in Larry N. Landrum, Pat Browne and Ray B. Browne, (eds), *Dimensions of Detective Fiction*, (Popular Press, 1976), 24-25. See also, George O'Toole, *The Private Sector: Private Spies, Rent-a-Cops, and the Police-Industrial Complex*, (New York, 1978), 25.

⁹⁸ William S. Burns, *The Masked War: The Story of a Peril That Threatened the United States by the Man Who Uncovered the Dynamite Conspirators and Sent them to Jail*, (New York, NY, 1913); O'Toole, *Private Sector*, 28-30; Lukas, *Big Trouble*, 750-751; Morn, "The Eye that Never Sleeps," 267-268.

⁹⁹ Richard Gid Powers, "J. Edgar Hoover and the Detective Hero," in Larry N. Landrum, et. Al. (eds), *Dimensions of Detective Fiction*, 205-210.

¹⁰⁰ Powers, "J. Edgar Hoover and the Detective Hero," 210-211.

¹⁰¹ *Ibid.*; Richard Gid Powers, *G-Men: Hoover's FBI in American Popular Culture* (Carbondale, 1983), xv.

¹⁰² Powers, *G-Men*; Claire Bond Potter, *War on Crime: Bandits, G-Men and the Politics of Mass Culture*, (New Brunswick, 1998); David E. Ruth, *Inventing the Public Enemy: The Gangster in American Popular Culture, 1918-1934* (Chicago, 1996); Athan Theoharis and John Stewart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition*, (Philadelphia, 1988) 144.

¹⁰³ John Drabble, "A Negative and Unwise Approach": Private Detectives, Vigilantes and the FBI Counterintelligence, 1917-1971," in Clive Helmsey and Haia Shakov-Player eds., *Detectives in History*, (Ashgate, 2005). Posted at <www.geocities.com/Drabbs> On the La Follette Committee, see Jerold S. Auerbach, *Labor and Liberty: The La Follette Committee and the New Deal*, (Indianapolis, 1966).

¹⁰⁴ John Drabble, "'Fidelity, Integrity, Bravery': An Analysis of the FBI's Campaign to Discredit the 'Cowardly Jackals' of the Ku Klux Klan, 1964-1971" *American Home of the Brave*, (Olomouc, 2005). Posted at <www.geocities.com/Drabbs>; Powers, *G-Men*, xiii.

¹⁰⁵ Rogin, *Ronald Reagan, The Movie*, Chapter 2 and 9. On pre-political repression of people of color see Ronald Takaki, *Iron Cages: Race and Culture in 19th Century America* (New York, 1990). On nativism see David H. Bennett, *The Party of Fear: From Nativist Movements to the New Right in American History* (New York, 1988). On the link between racism and anticommunism see Richard Slotkin, *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization, 1800-1890*, (New York, 1995).

¹⁰⁶ Heale, *American Anticommunism*, xi-xiv, 40-41.

¹⁰⁷ Weiss, "Private Detective Agency Policing," Abstract, 32-40.

¹⁰⁸ Smith, "From Blackjacks to Briefcases," 155-156, 173-174.

¹⁰⁹ On these activities, see James Basil Jacobs, "The Conduct of Local Political Intelligence," Ph.D. diss., (Princeton University, 1977), 105-115. The complete outlawing of labor spies was precluded by the defense industry as the nation geared up for World War II however, and many agencies simply adopted more subtle forms of union busting through so-called 'consulting' work. *Ibid.*, 192-199.

¹¹⁰ LaFollette's staff had intervened on the side of the unions in the sit-down strikes. Auerbach, *Labor and Liberty*, 164-171, 186-187.

¹¹¹ John Drabble, "To Preserve Domestic Tranquility:" The FBI, COINTELPRO-WHITE HATE, and Political Discourse, 1964-1971," *Journal of American Studies*, 38:3 (August 2004): 297-328.

¹¹² John Drabble, "Brown Scare," in Peter Knight ed., *The encyclopedia of American Conspiracy Theories*, (Santa Barbera, 2003).

¹¹³ James D. Horan, *The Pinkerton Story*, (New York, 1951), 234.

¹¹⁴ Brett Gary, *The Nervous Liberals: Propaganda Anxieties from World War I to the Cold War*, (New York, 1999).

¹¹⁵ Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan*. (Philadelphia, 1978), Chapter 3; Donner, *Age of Surveillance*, Chapter 3;

¹¹⁶ Keller, *The Liberals and J. Edgar Hoover*, 28-36.

¹¹⁷ *Ibid.*, Chapter 5; Kenneth O'Reilly, *Hoover and the Un-Americans: The FBI, HUAC and the Red Menace*, (Philadelphia, 1983); Theoharis, *Spying on Americans*.

¹¹⁸ Drabble, "To Preserve Domestic Tranquility"; *idem*, "Fidelity, Integrity, Bravery"; *idem*, "White Fear and Black Hate: Countersubversive Constructions of Race and Gender in FBI Domestic Counterintelligence Operations, 1964-1971," *Paper Presented at the European Social Science History Association, Amsterdam, April, 1998*, paper in possession of the author, to be revised for the 2006 annual conference.

¹¹⁹ Powers, *Secrecy and Power*, 17-18, 29, 144-152.

¹²⁰ *Ibid.* 211-214. Quotation from 213.

¹²¹ *Ibid.*