

## The FBI: a History

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**Author:**

Rhodri Jeffreys-Jones

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**Reviewer:**

Michael Woodiwiss

Rhodri Jeffreys-Jones's volume makes an important, accessible and timely contribution to the literature and historiography of the FBI. Among its many positives, two stand out. The first is Jeffreys-Jones's decision to begin the book's chronology by stressing the significance of federal law enforcement activities in racial matters during the period of southern Reconstruction after the American Civil War. The second is the decision not to make J. Edgar Hoover as overwhelmingly central to the development of the Bureau as virtually all other accounts.

Federal law enforcement had its origins in the effort to protect the lives of the recently freed black men and women of the south during the white supremacist terror of the early 1870s. Jeffreys-Jones ably narrates the undoubted contribution made by the Department of Justice to the decline of the first manifestation of the Ku Klux Klan and other similar groups. This was indeed a 'proud genesis', as Jeffreys-Jones makes clear. However, he is also careful to point out the temporary and limited nature of federal success against white terror in the south and the pernicious effect of 'race supremacists' such as the historian Charles Dunning, the novelist Thomas Dixon and the film-maker D. W. Griffiths, in the hugely influential *Birth of a Nation* (1915), on the collective memory of Americans about Reconstruction. Enforcement successes against Klansmen were written off as part of a bad government policy that had failed. Jeffreys-Jones's account of federal enforcement's anti-terror origins gives valuable context to the later efforts against the segregationist crimes of the 1960s and the attempts to combat terrorist activity both before and after the attacks on American civilians in September 2001.

FBI literature and historiography has also been too fixated on the admittedly fascinating character of its long-serving Director, J. Edgar Hoover. Most of the pre-1970s literature on Hoover was of course absurdly

adulatory and non-critical, in tune with coverage in the popular media. Since then the emphasis has been on the man's pursuit and consolidation of power and his lack of respect for basic human rights. As Athan Theoharis and John Stuart Cox documented so thoroughly in *The Boss: J. Edgar Hoover and the Great American Inquisition* (1990), nothing was beyond Hoover's FBI: illegal wiretaps, bedroom surveillance, persecution of leftists, sexual harassment, cronyism and paranoia. Hoover's firmly established position as one of America's most useful folk-devils, however, probably owes more to the work of Anthony Summers, a specialist in prurient accounts of the lives of the famous, in his book *Official and Confidential: the Secret Life of J. Edgar Hoover*. As a result of Summers's effective use of hearsay and innuendo many people believe that Hoover was a cross-dressing homosexual who was blackmailed by the Mafia to keep his agency away from organised crime control activity for decades, after being caught on camera in 'some kind of gay activity with Clyde Tolson'.<sup>(1)</sup> Tolson was a long-term friend and colleague of Hoover.

Jeffreys-Jones's book transcends the fixation on one man, emphasising the historical importance of Hoover's predecessors and successors and his bosses, particularly Attorney Generals A. Mitchell Palmer, Harlan Fiske Stone, Homer S. Cummings, Frank Murphy and Robert Kennedy. The evidence included in this book tends to support the case that although Hoover had many failings he reflected rather than controlled more powerful social, cultural and political forces in America.

Although Jeffreys-Jones rightly spends little time on conspiracy explanations for America's failure to combat organised crime it is in this area that his book convinces least. There are examples of an uncritical acceptance of law enforcement mythology in *The FBI*. On page 82, for example, Jeffreys-Jones describes the Bureau's apprehension of Louis 'Lepke' Buchalter, a New York garment industry racketeer. Buchalter, he writes, 'presided over the nationwide elimination service known as Murder Inc'. The idea of contract killing across the United States being a centralised and almost corporate enterprise took hold with the press accounts of the testimony against Buchalter given by a Brooklyn gangster Abe 'Kid Twist' Reles in the early 1940s. The big murder conspiracy idea later seized the American imagination with the publication and success of *Murder Inc.* by Burton Turkus and Sid Feder in 1951. Alan A. Block, a leading historian of organised crime, made a study of the relevant trial transcripts and extant internal documents and came to conclusions very different from those of Turkus, one of Buchalter's prosecutors, and Feder, his journalist co-author. Block writes:

What Turkus and Feder described and concluded was simply not what Reles related. For instance, when Reles talked about cooperation in the Brooklyn underworld, Turkus and Feder called it organization. When Reles talked about favors being done by one racketeer for another, Turkus and Feder wrote about orders and a smooth chain of command. When Reles talked about the geographical mobility of various criminals, Turkus and Feder held it as proof of the national scope of the cartel. When Reles talked about the innumerable mobs that populated the New York underworld, Turkus and Feder interpreted it as proof of the confederation of organized crime. When Reles talked about murder using the underworld argot of contract, Turkus and Feder concluded that murder was a real business conducted in the interest of the National Crime Syndicate and carried out by a special group of enforcers. And finally, when Reles talked about the shifting, changing, bickering, competitive, murderous social world of organized crime, Turkus and Feder surmised that this untidiness was only the inevitable and necessary fallout of the consolidation of organized crime. Everything, no matter how counter-factual, led to the big conspiracy, *The Organization*.<sup>(2)</sup>

The publication of *Murder Inc.* coincided with the televised senate committee hearings chaired by Senator Estes Kefauver and the beginnings of the process that gave organised crime in America an unwarranted Italian ethnic identity. During the 1950s J. Edgar Hoover had little truck with the idea propagated by the Kefauver committee that organised crime was an alien import and that the Mafia was a centralised organisation that controlled organised crime in America. Instead he testified plausibly before the committee that organised crime in the country was a home-grown product that depended much more on localised

corruption than a nebulous national conspiracy of Italian-American gangsters.

Hoover's claim that there was no such thing as a nationwide, cohesively organised crime syndicate makes him, according to Jeffreys-Jones, a voice in the chorus of Mafia denial, akin perhaps to Holocaust-denial. The FBI then narrates the disruption of a meeting of Mafiosi in Apalachin, in upstate New York, as an 'event that should have dealt a mortal blow to Mafia disbelief within the bureau' (p. 164). The meeting of scores of Mafiosi, mainly from the New York/New Jersey area but some from as far away as Miami and San Francisco, demonstrated that Italian-American gangster businessmen were capable of networking for their own mutual advantage but did not show that they were a tightly knit syndicate able to control illegal markets, such as those in gambling and drugs, as was frequently claimed.<sup>(3)</sup>

In the early 1960s Hoover bowed to political pressure from Robert Kennedy, in particular, and sections of the law enforcement community in general, and joined the chorus of believers in the all-powerful Mafia. The FBI became the leading standard bearer against what it named 'La Cosa Nostra' but most people continued to call the Mafia. J. Edgar Hoover claimed that the testimony of a Mafia turncoat Valachi merely corroborated what the FBI already knew and began to repeat the new conventional wisdom about organised crime. In 1966, for example, he told a House Appropriations subcommittee that:

La Cosa Nostra is the largest organization of the criminal underworld in this country, very closely organized and strictly disciplined. They have committed every crime under the sun ... La Cosa Nostra is a criminal fraternity whose membership is Italian either by birth or national origin, and it has been found to control major racket activities in many of our larger metropolitan areas ...

This kind of analysis from then on dominated American organised crime control discourse. It was thought that organised crime amounted to a conspiracy of foreigners that controlled or dominated organised crime in America. Hoover's interpretation was embellished by the 1967 report of President Lyndon Johnson's Commission on Law Enforcement and the Administration of Justice that recommended a complete package of laws to combat the Cosa Nostra's subversion of 'the very decency and integrity that are the most cherished attributes of a free society'.<sup>(4)</sup>

These included more powers for investigative grand juries, a general witness immunity statute that would 'assure compulsion of testimony', wiretapping and bugging laws, witness protection programmes and extended prison terms for offenders occupying 'a supervisory or other management position'.<sup>(5)</sup> In the next few years a large number of organised crime control laws were passed giving federal police and prosecutors these powers. Of these the most significant for the FBI was the Racketeer Influenced and Corrupt Organizations Act of 1970, making it possible, as Jeffreys-Jones writes, to prosecute Mob collectivities without tracing responsibility to an individual' (p.167).

The FBI, as Jeffreys-Jones narrates, did use these new powers to good effect in the 1980s and 1990s, putting Nicodemo Scarfo, John Gotti and scores of other Mafiosi behind bars. However, they never demonstrated that the Mafia was a centralised organisation that controlled organised crime in America. FBI investigations have shown beyond dispute that there were more than twenty Italian-American crime networks and that their members swore blood oaths of allegiance and used murder and intimidation to protect territory, markets and operations. But the evidence has also shown the limits of Mafiosi power and the non-existence of a centralised national underworld power structure. James B. Jacobs, a law professor who has written extensively and favourably on federal government campaigns against Italian-American gangsters, acknowledged that there was little or no evidence of the existence of a ruling national commission of Mafia bosses. 'It is best to think of Cosa Nostra', he writes, 'as a mélange of locally based crime families, each of which has exclusive jurisdiction in its territory'.<sup>(6)</sup>

The social world of organised crime is much more akin to that described by Alan Block than to the FBI-

inspired world of big organisation, strict hierarchies and total control depicted in Mario Puzo's *Godfather* (1969) and reflected in Jeffreys-Jones's book. Organised criminals can co-operate without being part of supercriminal organisations. They can do favours for one another without this being construed as giving or taking orders and following a smooth chain of command. They can be geographically mobile without this being proof of one cartel combining with another cartel. They can also be attached to one of the innumerable mobs that populate underworlds everywhere without this being proof of the confederation of organised crime. And finally, they can be part of the shifting, changing, bickering, competitive, murderous social world of organised crime, without this untidiness being the inevitable and necessary fallout of its consolidation. Jeffreys-Jones refers to 'Big Crime' on page 211 but most diligent organised crime researchers have shown that organised crime is big in extent but not in centralised organisation. Most governments, including Gordon Brown's, follow the American example and believe that organised crime control is just about taking out criminal organisations. Until governments can understand that the Americans have not controlled organised crime, despite the fall of many 'Godfathers', they will continue to fail in their efforts to overcome it. They need to construct policy that reduces criminal opportunity. However, this is not currently on the agenda, particularly with regard to the war on drugs.

Jeffreys-Jones devotes only a dozen pages to organised crime in a book that is 252 pages long and this reviewer has focused on these only because organised crime is a much misunderstood phenomenon and it is part of the specialist's job to carp. The positives detailed earlier in this review outweigh my reservations about the author's account of the FBI's understanding of and efforts against organised crime. In my opinion the book is the best introductory volume on the world's most influential law enforcement agency.

## Notes

1. Anthony Summers, *Official and Confidential: the Secret Life of J. Edgar Hoover* (London, 1994), p. 305. [Back to \(1\)](#)
2. Alan A. Block, *Perspectives on Organizing Crime: Essays in Opposition* (London, 1991), pp. 9–10. [Back to \(2\)](#)
3. Dwight Smith, *The Mafia Mystique* (London, 1975), pp. 152–88. [Back to \(3\)](#)
4. President's Commission on Law Enforcement and the Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, DC, 1967), p. 209. [Back to \(4\)](#)
5. 'The 1967 President's Crime Commission Report: its impact 25 years later', ed. John A. Conley (Cincinnati, 1994), p. 107. [Back to \(5\)](#)
6. James B. Jacobs, *Gotham Unbound: How New York City was Liberated from the Grip of Organized Crime* (New York, 1999), p. 9. [Back to \(6\)](#)

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