

1992

J. Edgar Hoover: The Man and the Secrets

Kurt A. Schmautz

University of Michigan Law School

Follow this and additional works at: <https://repository.law.umich.edu/mlr>



Part of the [Legal Biography Commons](#)

Recommended Citation

Kurt A. Schmautz, *J. Edgar Hoover: The Man and the Secrets*, 90 MICH. L. REV. 1812 (1992).

Available at: <https://repository.law.umich.edu/mlr/vol90/iss6/46>

This Review is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

J. EDGAR HOOVER: THE MAN AND THE SECRETS. By Curt Gentry. New York: W.W. Norton. 1991. Pp. 846. \$29.95.

During his forty-eight-year tenure as Director of the Federal Bureau of Investigation, J. Edgar Hoover became the most powerful bureaucrat in American history. Although Hoover transformed the FBI from an obscure division of the Department of Justice into the nation's premier crime-fighting unit, he also converted it into a private army to maintain and build his political power. The FBI's triumphs made him a national hero, its prestige fueled his ambition, and its investigative authority became a license to spy on his enemies. By the end of the Roosevelt Administration, his potent political machine was unstoppable and unaccountable to the political process.¹

Hoover's most formidable and infamous weapon was his extensive set of secret files. Once referred to as "twelve drawers full of political cancer" (p. 51), the files became an archive of blackmail material. When threatened, Hoover delved into these files for damaging bits of fact, supposition, or gossip to discredit and destroy his adversaries. On the rare occasion that such a search failed to yield any dirt, Hoover resorted to fabrication. With these tactics, Hoover frequently defied Congress and the eight Presidents under whom he served.

In *J. Edgar Hoover: The Man and the Secrets*, Curt Gentry scrutinizes Hoover's lengthy career and produces a detailed account of the political exploits of the FBI. Gentry's lengthy outpouring traces Hoover's maneuvering — from his rapid rise during the Red Scares after World War I through his final scraps with the Nixon Administration — with a special emphasis on his abuses. Gentry shows how Hoover's ambition, paranoia, and self-righteousness gradually corrupted the FBI, leading it to threaten the lawful order.

Gentry opens his book with an account of Hoover's death and the political shockwaves it produced (pp. 19-58). He then turns to Hoover's childhood. John Edgar was born in Washington, D.C., on New Year's Day, 1895, the youngest child of Dickerson Naylor and Annie Marie Scheitlin Hoover (pp. 62-63). Coming from a line of civil servants — his grandfather, father, and brother served in the U.S. Coast and Geodetic Survey — Hoover was fascinated by Washington. To Hoover, Washington manifested national power and prestige: "its defense [was] not merely a duty or an obligation but a birthright" (p. 63).

Hoover grew up in a typical turn-of-the-century Washington household: conservative, God-fearing, and above all, respectable. Annie Hoover, the household's dominant figure, was a strict mother who

1. See David Johnston, *Hoover: Still a Shadow Not to Be Stepped On*, N.Y. TIMES, Sept. 9, 1991, at C13, C16 (interview with Curt Gentry).

lavished attention on her youngest child (p. 63). She guided and encouraged his activities and "always expected that J.E. was going to be successful" (p. 64). She wielded considerable power over Hoover, who never married and lived with her until her death.

The family's strong religious values and thirst for respect left their mark on Hoover. Growing up, Hoover was described as "a mother's boy" (p. 63) and "was shorter than most boys his age and slighter of build" (p. 65). By adolescence, however, he had begun to compensate for these weaknesses, distinguishing himself as a debater and captain of his high school cadet corps. He graduated near the top of his high school class and was elected valedictorian (p. 67). Yet, neither these nor his later achievements seemed to compensate fully for his childhood insecurities.

After graduating from high school, Hoover took a job with the Library of Congress and entered the night law school program at George Washington University (p. 67). The decision to attend law school had not been easy. For a time, inspired by his own pastor, he had considered entering the clergy (p. 64). Although he rejected this idea, he retained a sense of moral righteousness that would mark his reign at the FBI.

After completing law school in 1917, Hoover accepted a \$990-per-year clerkship in the Department of Justice (p. 68). He rose rapidly, impressing his superiors with his attention to detail, mastery of bureaucratic politics, and hard work. The DOJ leadership discovered that "[h]e alone seemed to know where things were, how to get something done quickly and well" (p. 69).

Hoover's talents and ambition were quickly put to use during the Red Scares. Appointed in 1919 to head the infamous General Intelligence Division (GID) — the antiunion, antiradical wing of the Justice Department — Hoover aggressively advanced GID's policies. Through a series of high-profile cases, including the deportations of Emma Goldman and Alexander Berkman, Hoover established himself as one of the nation's foremost anticommunists.

As Gentry recounts, Hoover's enthusiasm paid off in the shakeup in the Justice Department following President Harding's death. In 1924, Calvin Coolidge appointed Harlan Fiske Stone, former dean of Columbia Law School and future Supreme Court Justice, to be his Attorney General. Arriving at the Justice Department, Stone observed that "the Bureau of Investigation was . . . in exceedingly bad odor."² He listed the problems: "filled with men with bad records . . . many convicted of crimes . . . organization lawless . . . many activities without any authority in federal statutes . . . agents engaged in many practices which are brutal and tyrannical in the extreme . . . Felix

2. P. 124 (citation omitted). The agency would not become the *Federal* Bureau of Investigation until 1934. Pp. 180-81.

Frankfurter says key to my problem is men . . . I agree" (p. 124). Stone immediately set upon the task of reform. He removed William J. Burns, the Bureau's corrupt director,³ and began a search for a new and incorruptible replacement (pp. 125-26). He finally settled on a young and energetic Justice Department lawyer, and on May 10, 1924, named J. Edgar Hoover acting director of the Bureau of Investigation (p. 127).

With Stone's approval, Hoover purged and reorganized the Bureau — an effort that shaped the Bureau into one of the world's premier law enforcement organizations. He fired incompetent and dishonest employees, raised hiring standards, expanded the Bureau's training programs, streamlined the chain of command, instituted a strict merit-based promotion policy, increased the accountability of field agents to central authority, and established a system of random inspection to enforce these policies (pp. 127-31).

Just as important was the new spirit and idealism Hoover instilled in the Bureau. As one of Hoover's agents recalled, these years were "the most exciting time of our lives" (p. 133). Another added, "[w]e were ambitious; . . . we not only wanted to do it right, we wanted to do it better" (p. 133). The completion of Stone's mission⁴ — the overhaul of the Bureau of Investigation — readied Hoover and the Bureau to seize the opportunities presented by the gangster era.

By the early 1930s, Hoover, secure in his position and unable to advance further by promotion, began to seek power in a new way: by expanding the authority of the Bureau. Although few Americans knew the Bureau existed — its jurisdiction limited to the Mann Act,⁵ interstate auto theft, and federal bankruptcy violations — Hoover lobbied Congress for a mandate to clamp down on the gangster crime wave (p. 169). Driven on by Hoover's urging and a series of gang massacres, Congress passed nine separate crime bills in May and June of 1934, greatly expanding the role of the Bureau (p. 169). A host of new crimes — including bank robbery, transportation of stolen property, interstate flight, transmission of threats, and racketeering in interstate commerce — came under the Bureau's jurisdiction (p. 169).

Hoover quickly made use of this new power. Dubbing John Dillin-

3. Burns had been implicated in the Teapot Dome scandal. Stone secured his resignation through threats of prosecution. P. 126.

4. By the time Hoover completed his review, Stone was on the Supreme Court. Stone served less than a year as Attorney General before he was "kicked upstairs" to the Court. His efforts to reform the Justice Department had apparently been too effective. P. 145.

5. The Mann Act is the common name of the White Slave Traffic Act, ch. 395, 36 Stat. 825-827 (1910) (codified as amended at 18 U.S.C. §§ 2421-2424 (1988)), which was aimed at traffic in foreign-born prostitutes. It became, however, a tool of political harassment by virtue of its vague drafting. Any man who transported a woman other than his wife across interstate lines and had sexual intercourse with her could be prosecuted. A number of celebrities were charged with Mann Act violations, including heavyweight champion Jack Johnson and newspaper magnate William Randolph Hearst. Pp. 114-15.

ger the first "Public Enemy Number One" (p. 172), Hoover declared war on the gangsters. The Bureau, now the Federal Bureau of Investigation, hunted down the famous fugitives one by one: Dillinger, "Ma" Barker, "Pretty Boy" Floyd, "Machine Gun" Kelly, "Creepy" Karpis, "Baby Face" Nelson.

Immediately, the FBI, and Hoover as its symbol, rose to national prominence. America went wild for the G-Men — a term "Machine Gun" Kelly coined in his plea, "Don't shoot, G-Men; don't shoot!" (p. 178). This mania inspired innumerable movies, novels, radio programs, crime magazines, toys, and comic strips extolling the FBI. Recognizing the power of the media, Hoover learned to manipulate reporters in order to craft his image. Friendly reporters enjoyed special treatment and access to leaks and tipoffs; unfriendly reporters were placed on the "no contact" list and denied FBI assistance and cooperation. The dreaded list quickly became one of Hoover's most effective means of controlling the press.

During the Roosevelt Administration, Hoover's career reached a turning point and his power grew enormously. Before the Roosevelt Administration, Gentry's narrative explains, Hoover was an egotistical and grasping petty bureaucrat: unpleasant but essentially harmless. After it, he was nearly unstoppable. As Gentry concludes, "the Federal Bureau of Investigation [under Roosevelt] had become one of the most important agencies in the U.S. government, and, with the president's benign approval, its director had become one of the most powerful men in Washington" (p. 318).

Gentry traces this transformation to Hoover's political alliance with President Roosevelt (pp. 201-318). On August 24 and 25, 1936, Roosevelt summoned Hoover to the White House. According to FBI files, the only surviving record of the meetings, Roosevelt asked Hoover to reinstitute the secret surveillance of suspected communists, fascists, and other subversives: the Red Scare was revived (pp. 206-07). Pursuant to Roosevelt's order, in 1939 Hoover secretly reestablished the despised General Intelligence Division — not even bothering to change the name — which Stone had ordered closed more than fifteen years earlier (pp. 212-13).

In exchange for Roosevelt's broad grant of authority, Hoover conducted sensitive investigations for the President. At first, Roosevelt used the FBI sparingly, investigating prominent opponents of a strong national defense, such as Charles Lindbergh. Later, Hoover widened his net, scrutinizing Roosevelt's political rivals and media critics as well (pp. 225-29). For the rest of his career, Hoover provided similar services to a number of Presidents, though none after Roosevelt could be so sure of his loyalty and cooperation.

After World War II, the FBI's nearly continuous expansion suddenly came to an end. Facing a shrinking budget and the loss of presi-

dential patronage — President Truman and Hoover shared a profound distrust — the FBI sought new work to maintain its ranks. Soon the cold war provided the opportunity Hoover needed. The prosecutions of Alger Hiss (pp. 344-45) and Julius and Ethel Rosenberg (pp. 419-28) thrust the FBI once again into the national spotlight. Hoover's FBI also provided information and advice to Senator Joseph McCarthy, whose wild accusations, in turn, bolstered FBI requests for additional money and authority (pp. 377-80).

From the late 1950s onward, Hoover became increasingly opposed to social change. The civil rights, antiwar, and hippie movements threatened his conservative values. His power now secure, he lashed out against these groups and their sympathizers. As Hoover's shrill, reactionary attacks grew more embarrassing, Presidents Kennedy, Johnson, and Nixon each considered firing him (pp. 471-72, 560-61, 699-703). Still, each worried about the contents of Hoover's files. As Johnson explained, "I would rather have him inside the tent pissing out than outside the tent pissing in" (p. 558).

Many of Hoover's most spectacular and systematic abuses occurred during this period. The FBI instituted the first COINTELPROs — counterintelligence programs — in the late 1950s (pp. 442-45). COINTELPROs were illegal harassment campaigns conducted by the FBI against radical organizations. They typically included dissemination of damaging information or rumors, planting of hostile stories in local newspapers, approaching and informing neighbors, employers, and friends about the target's subversive activities, use of selective law enforcement (often in the form of IRS audits), and branding loyal members of the organization as FBI informants (pp. 443-44). A variety of organizations became targets, including the Communist Party USA, the black nationalists, and the Ku Klux Klan.

Hoover's obsessive hatred of Martin Luther King, Jr. led to an especially vile campaign of intimidation and blackmail. As early as 1957, Hoover had King under constant investigation and surveillance (p. 500). Through wiretaps and other listening devices, Hoover learned of King's promiscuous sexual habits, leading him to conclude that "King is a 'tom cat' with obsessive degenerate sexual urges" (p. 569). Enraged by King's Nobel Peace Prize, Hoover conspired to force him to abandon public life. In November 1964, the FBI prepared and sent King an anonymous letter urging him to commit suicide:

King, look into your heart. You know you are a complete fraud and a greater liability to all of us Negroes. . . . You are no clergyman and you know it. . . . But you are done. Your "honorary" degrees, your Nobel Prize (what a grim farce) and other awards will not save you, King, I repeat you are done. . . .

King, there is only one thing left for you to do. You know what it is. . . . You are done. There is but one way out for you. You better take

it before your filthy, abnormal fraudulent self is bared to the nation. [p. 572]

Recordings of a number of King's trysts were enclosed with the letter. King refused to be intimidated, although he despaired in the winter of 1965, "They are out to break me" (p. 576).

Long before the end of *J. Edgar Hoover: The Man and the Secrets*, the reader discerns Gentry's lack of interest in Hoover's personality. While charting Hoover's every abuse as director, Gentry provides scant insight into his motivations, beyond banal generalities. Throughout the book, Gentry holds Hoover at arm's length, fearing to ponder Hoover's passions or to reconstruct his reasoning. As a result, despite Gentry's monumental research effort, Hoover still emerges as a caricature: incomprehensibly evil, ambitious, and paranoid.

Partly, this stems from Gentry's focus on the late abuses of the FBI, which leads to a series of unusual decisions that distort his portrayal of Hoover. In 760 pages of text, Gentry devotes just seven pages (pp. 61-68) to the period between Hoover's birth and graduation from law school. Hoover's early triumphs are also given short shrift — the Bureau's reorganization merits four pages (pp. 129-33) and the gangster era gets thirty-two pages (pp. 165-97). Yet Gentry scrupulously describes the ruthless paranoia of Hoover's later years — 258 pages, a third of the text, are devoted to the last twelve years of Hoover's life (pp. 465-723). The book's organization emphasizes Hoover's vast treachery but, by depriving the reader of an understanding of his character, renders its motivation unintelligible.

The few occasions on which Gentry considers Hoover's interests outside the Bureau are used primarily to impugn Hoover's character. Every personal quality reveals a weakness: Hoover loved dogs, but spoiled and coddled them (p. 117); he collected antiques and Oriental rugs, but his decorating was garish (p. 21); he reorganized the Bureau of Investigation but reduced its agents to "interchangeable units" (p. 131); he enjoyed socializing, but "didn't associate with people unless he had something on them" (p. 384), and so on.

Perhaps Gentry's lowest blow comes when he refers repeatedly to the flimsy and admittedly unproven charges of homosexuality leveled against Hoover (pp. 66, 159, 179-80, 192, 240, 531). To substantiate these rumors, Gentry cites an oblique reference in *Collier's* magazine, off-hand gossip heard in a beauty shop, and conversations of Mafia members from an FBI wiretap. Gentry also omits the failed efforts of Hoover's enemies to expose his alleged homosexuality — for example, the *New York Post* reportedly spent \$500,000 investigating this rumor during the 1950s.⁶ Nonetheless, he establishes these suppositions in the reader's mind through sheer repetition, coloring Hoover's already grotesque attacks on homosexuals.

6. Ralph De Toledano, *A Look at the Files*, NATL. REV., Dec. 2, 1991, at 47 (book review).

Unsurprisingly, Gentry's quest for incriminating evidence leads him to exaggerate his findings. Commentators have questioned Gentry's research — contending that he misrepresented the contents of Hoover's files⁷ and uncritically accepted misinformation from disgruntled FBI sources.⁸ The book also suffers from numerous minor but disconcerting factual errors: Gentry misidentifies the IWW as the *International Workers of the World*,⁹ gives the wrong location for President Roosevelt's house in Washington,¹⁰ mistakenly asserts that Treasury Secretary Henry Morgenthau's diaries were kept in the National Archives,¹¹ and misidentifies the origins of the White House "plumbers."¹² These persistent distortions and errors discredit Gentry and lend his book an air of sensationalism that detracts from his otherwise painstaking research.

A biographer need not admire his subject. But he must understand his subject and communicate that understanding. Gentry's depiction of Hoover fails this test: after all those pages, the reader still doesn't know how Hoover rationalized his acts, how he slept at night. After *J. Edgar Hoover: The Man and the Secrets*, these mysteries remain.

—Kurt A. Schmautz

7. Athan G. Theoharis, *The Man Who Knew Too Much*, WASH. POST, Nov. 3, 1991, Book World, at X13 (book review).

8. Sanford J. Ungar, *Just a "Centimeter Closer" to Knowing Hoover*, USA TODAY, Oct. 1, 1991, at 11A (book review).

9. De Toledano, *supra* note 6, at 47. IWW stands for the *Industrial Workers of the World*.

10. Ungar, *supra* note 8.

11. Theoharis, *supra* note 7. This is particularly egregious because Gentry claims that FBI agents raided the National Archives in order to alter the diary. Pp. 389-90.

12. Ungar, *supra* note 8. Gentry accepts President Nixon's excuse that the FBI's reluctance to investigate Daniel Ellsberg (leaker of the "Pentagon Papers") led to the creation of the plumbers. Pp. 685-86.