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"The size and power of an internal security service is generally in direct ratio to the extent of the suspicion and fear of the ruling clique."

Allan Dulles, The Craft of Intelligence

When Allan Dulles wrote these words, *quoted above* he stated the proposition in general terms. However, probably not many readers of his primer on intelligence chose to consider that the assessment applied equally to the United States as well as Czarist Russia, Nazi Germany or Fascist Italy. Any American who has mastered the simple axioms of a civics textbook knows that we are a government of the people, by the people and for the people and are not governed by a "ruling clique." Yet Dulles' insight should not be lost on us. Democratic governments, like totalitarian forms of government, also have internal security services and such organs of the democratic state also wax and wane in size, power and influence relative to the perceived threat to the existence of the government or the perceived threat to the orderly, established processes of resolving deep societal cleavages of a political, economic or cultural character.

Americans have grown accustomed to the term "foreign intelligence community." It refers to the combine of intelligence bureaucracies which grew to substantial size in the cold war period for the purpose of analyzing military, political and economic threats to our national security and to assist in the maintenance of the global position of the United States. The most important elements of the foreign intelligence community are the Central Intelligence Agency (CIA), the State Department's Bureau of Intelligence and Research (INR), the Defense Intelligence Agency (DIA), the National Security Agency (NSA), and the intelligence organizations of the Army, Navy and Air Force.

*investigative agencies which have developed
intelligence functions
in periods of stress*

Americans have not grown accustomed to the term "domestic intelligence community." This is an unfortunate oversight since the combine of interlocking intelligence bureaucracies making up this community have the potential for greatly influencing the lives of American citizens. They have an impact on our privacy as individuals and on our engagement in political discourse as free citizens. The primary agencies involved in the domestic intelligence community are the Federal Bureau of Investigation (FBI), the Treasury Department's Secret Service (for obvious reasons never referred to as the SS) *Department of Justice the* in the alphabet soup wonderland of governmentese, *also* the counter-intelligence organizations of the Army, Navy and Air Force, state National Guard intelligence elements, (California's is one of the more developed), state ~~intelligence agencies~~ (the Illinois Bureau of Investigation or IBI *is* ~~is~~ *was* a typical one), and the intelligence arms of many county and city police departments around the country (to their professional dismay, many of these organizations are referred to locally as Red Squads).

generally There is no question but that the domestic intelligence community is a far lesser constellation of bureaucracies than its foreign intelligence counterpart. It has grown up in haphazard fashion largely in the last sixty-five years. There is an enormous variance in the capabilities of its constituent elements and their professional competence runs the gamut from excellent (FBI) to atrocious *many* (most of the smaller police departments who have gotten into the act). Nevertheless, the apparatus of a domestic intelligence community presently exists. There is a wide-ranging exchange of information between the different bureaucracies and the growth of technology, particularly the computer, has meant that in the last decade vast quantities of information on the lives of individual citizens can now be stored indefinitely and retrieved at will. The new technology has given

a great shot in the arm to the collection end of the intelligence process, since information formerly useless to collect because of the difficulty of retrieval can now be safely stored away for a rainy day. The compilation of political intelligence on computers of the Army and the Department of Justice were the subject of considerable notoriety as a result of the hearings conducted in the Winter of 1971 by Senator Sam Ervin and the Subcommittee on Constitutional Rights of the Senate Judiciary Committee. (D-N.C.) As a result of these hearings, millions of ~~passive~~ but devoted followers of newstars Cronkite, Reasoner and Brinkly^a were treated to the experience of learning that organizations like the Army were busy collecting extraneous information on individual citizens guilty of no crime other than the exercise of their rights of political freedom, still presumably guaranteed them by the First Amendment to the Constitution.

The fact that the domestic intelligence community is a haphazard and severely fragmented animal should not deter us either from the realization that it exists or from the judgement that even in its fundamentally nascent state it is worthy of analytical attention. The various agencies both individually and collectively wield enormous power. By their very nature they are more committed to secrecy than their more prosaic, above board governmental counterparts. The latter bureaucracies must occasionally deal with the check of public opinion and the balance to their power created by a free press.

The separation of powers doctrine, enshrined in national and state constitutions, is designed to insure that none of the three branches of government oversteps its bounds. Until recently, it has also been thought to have been responsible for the infrequency of serious transgressions by executive authorities in the performance of their internal security functions. However, what the decade of the 1960s has proved as far as the domestic intelligence

community is concerned is that legislative oversight has been nonexistent or hopelessly weak or misdirected and that judicial oversight of the internal security function has been likewise random and of limited effect. Even more serious has been the realization that there has been a lack of detailed control of the internal security bureaucracies by their executive sponsors.

and L. Patrick Gray, former

The Army's domestic intelligence activities grew to enormous levels without the civilian leadership having a grasp or detailed knowledge of the scope of the activities being carried out. Computer data banks on civilians who had engaged in legal political activities were not even discovered by the Secretary of the Army or responsible military officers on the General Staff of the Army at the Pentagon until well after a political storm had broken over the Army's domestic intelligence activities.

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Similarly, J. Edgar Hoover, Director of the FBI, is in theory subordinate and responsible to the Attorney General and the Department of Justice. In reality, there is no detailed day to day control over the operations of the FBI by either. ~~This is not hard to understand when the Director of the Bureau is so secure in his own continued independence that he can refer to his former superior Attorney General Ramsey Clark as a "jellyfish" and "the worst Attorney General" he had ever served with. For a long period of time Hoover was reportedly not even on speaking terms with Attorney General Robert Kennedy.~~

Some time ago

The Governor of Kansas had to rely on what he saw on the NBC First Tuesday program to find out what his own Kansas Bureau of Investigation was up to. When he saw what they were involved in he ordered the organization abolished. Similarly, within local city governments there is often little supervision of the activities of police intelligence agencies either by

reportedly

and Mr. Gray apparently short circuited his chain of command to serve White House political purposes in the Watergate scandal.

in the pursuit of "national security,"

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responsible political officials or appropriate legislative bodies.

The overall pattern is unfortunately one of little or no direct oversight and control by authorities without the domestic intelligence community itself. Not only does this lead to duplication of efforts and costly inefficiencies, but it also leads to broadscale worries, often justified, that the security ~~intelligence~~ bureaucracies abuse their privileged position of secrecy and run roughshod over the constitutional liberties of the people. The record of limited or nonexistent control of the domestic intelligence community in America in the 1960s leaves no doubt that reform is necessary. To fail to restore public confidence in the administration of the internal security function is to risk the continued alienation of citizens long grown weary of credibility gaps and public relations posturing substituting for effective government.

There is a need for a full debate openly conducted over the proper policies to be developed to control the domestic intelligence function at all levels of government. It is further necessary to make sure that the executive and legislative oversight of domestic intelligence agencies be made more than perfunctory in the future. For ~~a~~ ^{our} society to remain free there must a continuing high level of external scrutiny, lest a period of severe social and political stress such as we are now experiencing ~~we~~ ^{experienced} in the ~~1960s~~ ^{1960s} may permanently diminish our liberties when we once again emerge in calmer waters.

by the time

and the more recent revelations of Mr. Nixon

lead to a permanent diminution of

WORLD WAR I REVISITED

To understand the domestic intelligence community of the 1960s, one must first go back and revisit the United States during an earlier part of the century. In the First World War period, there was a major internal security crisis in the country. At least there was thought to be such a crisis. The response of national, state and local governmental units was much like the response of governments in the 1960s. Of course there had been earlier volunteer and government sanctioned witch hunts prior to the First World War. One has only to recall the Sons of Liberty during the Revolution or the Union League during the Civil War period to find more ancient parallels. Nevertheless, the time immediately prior to, during and after the First World War offers the most direct set of analogies to the present.

The major federal investigative agency until shortly after the turn of the Century was the Secret Service of the Treasury Department. The Secret Service had had jurisdiction over counterfeiting since the Civil War. Since the assassination of President Lincoln, they had had the mission of protecting presidents. The Department of Justice workload was such that they had no great need for their own investigators. Whenever they did need trained investigative manpower, they turned to the Treasury to borrow Secret Service agents. Justice had no independent body of investigators of their own. In 1908, Congress abolished the practice of borrowing Secret Service agents. To remedy this situation, the Justice Department established the Bureau of Investigation, later known as the FBI, under its aegis. The Bureau had grown to a force of 100 agents by 1914. It had not by this time established primacy over the Secret Service as the foremost federal investigative agency. This remained for the period of domestic hysteria soon to arise in connection with

the entrance of the United States into World War I. From 1914 to 1916 the Bureau increased three fold to a total of 300 agents. This reflected the increasing worries over rising sabotage incidents and concerns over suspected espionage activities of resident German aliens. In 1916 the Congress broadened the jurisdiction of the Bureau by permitting it to investigate incidents involving no violation of federal law where the State Department asked them to intervene. In spite of this, there continued to be a strong rivalry with the Secret Service over control of all counterespionage investigations.

In February, 1917, Germany resumed unrestricted submarine warfare. In March of that year, the Zimmerman telegram detailing a proposed German alliance with Japan and Mexico was made public. The result of both events was to greatly increase public hysteria over the dangers of German espionage and sabotage activities in the United States. The Bureau of Investigation began receiving hundreds of letters from individual citizens volunteering their assistance in ferreting out alien German subversives who might be engaging in various nefarious activities. By May, 1917, an estimated one million Americans had volunteered their services to the Bureau. A. Bruce Bielaski, then Director of the Bureau, took advantage of this rapidly growing public concern to assist in the organization of a nationwide group of dedicated patriots who were to assist the Bureau by seeking out those enemy within who intended to injure or embarrass the United States. Approval was given for the formation of the American Protective League or APL on March 20, 1917. This was the very day President Wilson's cabinet met to approve a declaration of war against Germany. In his war address to the Congress on April 2, Wilson specifically cited the danger of German sabotage and espionage on the home front as one of the three reasons which made it necessary to go to war with Germany.

The APL was first headquartered in office space of the Peoples Gas Company in Chicago. The space had been donated by Samuel Insull the utility magnate. Regional chapters in states across the nation were quickly set up. The APL was organized along paramilitary lines. It was replete with captains, lieutenants and squads of lesser agents. In a short time it came to constitute a nationwide network of observation nets designed to keep track of the one million German aliens then resident in this country. Industrial facilities and plants were primary targets of interest because of the perceived threat of sabotage by German aliens or anarchists. The establishment of the APL and its amateur counterspies almost immediately led to gross violations of civil liberties and individual privacy.

Secretary of the Treasury William McAdoo was vigorously opposed to having the APL operating under the Bureau of Investigation. It clearly posed a threat to the position of the Secret Service. Instead, McAdoo proposed to President Wilson a new central intelligence agency be set up. It would have responsibility for the coordination of all internal security intelligence work. In addition, the Secret Service was to replace the rapidly growing network of APL agents. By July, 1917, the proposal for a centralized domestic intelligence agency had been discarded. In part this was the result of Bureau chief Bielaski's assurances to Attorney General Gregory that the Bureau was in constant communication with Army and Navy Intelligence and the State Department. He could also report that there were by this time spies in all facilities having war contracts with the government.

Because German spies and saboteurs were thought to be everywhere in the Spring of 1917, the military was quickly brought into the picture domestically. With the Zimmerman telegram freshly in mind, federal troops were ordered deployed to protect power plants in the states bordering Mexico. In many other states, National Guard elements were called out to protect plants, railroad bridges and other critical facilities from possible German sabotage. There

was particular concern over war plants. Attorney General Thomas Watt Gregory proposed a national police force organized under the War Department to meet the threat. This seemed a more expedient alternative at the time than training additional federal marshalls or requiring plant authorities to provide for their own defense. The War Department successfully opposed the idea on the grounds that it didn't want to become thrown into labor disputes.

The Army's intelligence activities had been given a big boost by the April spy hysteria in 1917. Secretary of War Newton D. Baker had ordered local Army commanders to assist local officials with troop deployments whenever requested. Normal procedure required explicit presidential authorization in each such instance. The use of federal forces domestically created obvious intelligence gaps. What was the threat? It had to be defined. What radical labor organization at which plants was likely to promote a requirement for deployment of federal forces? Who were the leaders? Were they advocating violence? In essence, local military intelligence officers had been given a blank check to begin collecting information on potential threats to the peace in many local communities. Army Intelligence was particularly interested in the International Workers of the World (IWW) or Wobblies. The Wobblies were busy opposing the new draft laws and organizing labor unrest at countless plants across the country. In September, 1917, over 20 IWW offices were simultaneously raided by Bureau of Investigation and APL agents. Nor was sedition only to be found in the halls of radical labor organizers. The New York Times was concerned over opposition to the war among faculty at various colleges and universities, "If colleges and universities are not to become breeding grounds of radicalism and socialism, it must be recognized that academic freedom has two sides, that freedom to teach is correlative to the freedom to dispense with poisonous teaching."

Col Ralph Van Dieman has the dubious distinction of being for all practical purposes the "Father of Military Intelligence." Van Dieman had served as General MacArthur's chief of intelligence in the Philippines at the turn of the century. At that time there was a very small military intelligence section on the Army General Staff. It has first been established in 1885. In 1908, however, it was disestablished and placed within the War College Division of the General Staff. Having been trained in counterespionage work in the Philippines, Van Dieman was convinced that the United States could not go to war without an independent intelligence section at the General Staff level. He personally interceded with the Army Chief of Staff to make this point as soon as war had been declared on Germany. Although initially turned down by the Chief of Staff, Van Dieman had a chance to later make his case directly to Secretary of War Baker. On May 3, 1917, Van Dieman won his battle and found himself in command of the new intelligence section.

Van Dieman immediately requested help from the APL in conducting those investigations assigned to military intelligence. These investigations came to include not only the IWW, but also the American Federation of Labor, Socialists, Bolsheviks, the Union of Russian Workers, the Communist Party of the United States and the Nonpartisan League. Army Intelligence was receiving and indexing all reports of domestic unrest remotely relating to the war effort. By the Spring of 1918, the Army was also receiving broad support for their taking over all investigations relating to espionage. The Espionage Act had been passed by the Congress the previous June and it was now being urged by some members of the Senate that the Army have jurisdiction in "war zones" surrounding plants with government contracts. A Plant Protection Section under Military Intelligence had by this time been established. It consisted of guard forces at various defense facilities along with nets of informants within the plants.

Van Dieman was successful in persuading War Department officials Felix Frankfurter and Walter Lippman to press Congress for larger appropriations for Military Intelligence. Before the end of 1917, Van Dieman had selected Chicago, Philadelphia and New York as sites for new military intelligence offices. The offices were to be primarily engaged in keeping track of German and other resident aliens. The APL was the primary vehicle used by Army Intelligence for the investigation of civilians. They were relied on by no means exclusively, however. Hundreds of volunteer agents had been directly recruited by the Army in 1917. In the Western Department alone, a thousand patriots were serving as informants for intelligence officers as members of the formally organized Volunteer Intelligence Corps. Van Dieman was far too much of an empire builder to have to rely on the APL whose assets were not under his direct control. He proceeded immediately to set up his own informant organization paralleling the already existing body of amateur sleuths who made up the APL.

The historian Joan Jensen in her book the Price of Vigilance records Van Dieman's exploits. "Secretly, Van Dieman began his own volunteer recruitment in the Midwest. He was inclined to avoid going to the state councils of defense. Too likely to be involved in politics, he thought. He had different men in mind: a retired brigadier general in Minnesota, a retired army officer in Nashville, Tennessee, members of the Volunteer Medical Service Corps, American Federation of Labor informants, groups of private detectives from mining and industry. An agent of the Norfolk and Western Railway Company volunteered to supply operatives. A Denver man promised to do the same. A lawyer from Knasas City was to organize Missouri, another from Indianapolis was to organize Indiana. Three attorneys from Kansas City, Kansas, were to form the nucleus of a group for their state. And all of these would be working eintirely for the military. ...But the recruiting was far from over. The

retired officer at Nashville asked the United States Attorney to suggest ten reliable citizens who could watch out for and report all cases of sedition or disloyal utterances. A few days later he returned to ask for eighteen more names. Van Dieman asked the American Bar Association to furnish him with the names of attorneys in five hundred cities and towns in fifteen states of the Midwest."

The growth of this vast net of secret Army informants did not escape the notice of the Justice Department. Attorney General Gregory was informed in a memorandum on the subject that, "the Office of Military Intelligence has definitely decided to supplant the investigation services of the Department of Justice throughout the country." The result of the jurisdictional conflict was that the Volunteer Intelligence Corps was disbanded and its membership lists turned over to the APL. This left the APL free from serious bureaucratic competitors at the national level. However, they still found competition on the state and local level. This was usually in the form of intelligence elements attached to various state defense councils. While Attorney General Gregory had at first encouraged local initiative into loyalty investigations, he moved in April, 1918, to disband state and private intelligence organizations other than the APL.

Local APL chapters varied in size from one man branches to the 13,000 members in the Chicago chapter. The APL engaged in widespread wiretapping among its other pursuits. The wiretapping forays were eased in many cases by APL infiltration of local telephone companies.

The APL and Army Intelligence would often team up where they felt that the Bureau of Investigation was shirking its duty. In 1918, APL and Army Intelligence personnel moved in on the Butte, Montana Wobbly contingent. Twenty IWW officials were arrested and records seized. When the local

copper miners declared a strike, none other than Omar Bradley, then a Major in command of the Fourteenth Infantry, joined a raiding party on the printing plant of the Metal Mine Workers Union. The next day, Bradley was obliged to listen to a lecture from a Justice Department official on the studied illegalities of his raid and the actions of local military intelligence officers.

With the coming of the armistice in late 1918, attention began to turn away from the dangers posed by German aliens and moved instead to concerns over the danger of revolution at home. In early 1919 there were 109,000 members of the Socialist party in the United States. Events in Russia were beginning to have their repercussions in this country. The Los Angeles APL branch announced, "The Bolshevik spirit in this country has been held in check to a large extent by fear of the wrath of our patriotic citizens. The League will have much to do in reporting on this element of society during reconstruction." A master list of all persons of "undesireable character" in the Los Angeles area was to be drawn up and exchanged with Army Intelligence.

Army Intelligence was initially ordered cut back once the hostilities ceased. Army investigations into disloyalty and enemy activities in the civilian population were to be turned over to the APL. The Army General Staff decided to reduce the size of Army Intelligence from several hundred officers to only 103. The mission of Army Intelligence was to be confined to troop information, press relations and cryptographic work. Actually bringing a cessation to Army Intelligence on the domestic scene proved a difficult matter to accomplish. The Army naturally wished to maintain the capability for following Bolshevik propaganda so that they could better monitor the internal situation as it developed. Local military intelligence officers who had painstakingly established undercover agent nets reporting on the

militant IWW and other radical groups were aghast at the thought that their work might do down the drain with the momentary period of false security brought about by the end of the war. The employment of federal troops to crush a strike in Seattle in early 1919 helped turn the intelligence tap back on. Clearly there was a continuing need to keep troop commanders informed of the threats which they were going to face. Direct collection of information on radicals was frowned upon, but intelligence volunteered to Army Intelligence officers was considered a different matter. This loophole permitted close liason with the APL to continue. In April, 1919, the head of Army Intelligence authorized his Chicago office to levy collection requirements on APL operatives. The Army was well on its way back into the domestic intelligence business.

A rash of radical and anarchist bombings occupied the country in 1919. Labor unrest was rampant everywhere. Race riots hit Chicago and other cities. All of these new tensions led to the reestablishment of many Military Intelligence offices which had been ordered eliminated in the previous months. A police strike in Boston created worries that federal troops might have to be called in. Omaha, Nebraska suffered a race riot which quickly grew beyond the control capabilities of local and state law enforcement authorities. Federal troops were rushed in to restor order. A major steel strike with associated violence brought 15,000 federal troops marching into Gary, Indiana.

There was considerable ferment among the parties of the left in 1919. In September, the Socialist party was torn asunder as its radical wing broke off and formed the Communist party and later the Communist Labor party. The road to revolution was seen as the Soviet Union's course. Army Intelligence secretly began contacting former APL members to request their assistance in developing information on the local captains of chaos. A young government bureaucrat named J. Edgar Hoover was appointed to head up a new Anti-Radical Division in the Bureau of Investigation. The War Department prepared contingency plans known a

Division in the Bureau of Investigation. The War Department prepared contingency plans known as War Plans White to deal with attempted revolutionary activity on the part of labor or radicals. The new Attorney General, A. Mitchell Palmer, conducted his notorious roundups and the year 1919 came to be known as the year of the great Red Scare.

In 1920, the election of Warren Harding brought about a return to "normalcy." Gradually, the fear of domestic revolution began to fade. The Bureau of Investigation failed to sustain a continuing assault on radicals and Army Intelligence dwindled in staffing and importance. The APL came to be remembered more for its excesses and violations of civil liberties than for its self appointed role as the savior of the home front from the subversive menace.

The massive intrusion of the Army into domestic intelligence matters during and immediately after World War I can be attributable to three primary factors. These three factors were also present and help explain the return of an extensive Army Intelligence effort within the country in the decade of the 1960s. The central ingredients in both cases were: (1) the presence of a severe degeneration of public order requiring the frequent employment of active Federal forces in domestic peace keeping functions; (2) a simultaneous foreign military engagement requiring an expansion of the Army and a concomitant ingestion into the Army of millions of American civilians, many of whom will necessarily be exposed to military secrets; and (3) a rise in direct and indirect threats to the security of military installations, including attempted "subversion" of soldiers and an increase in bombing and other acts of sabotage stemming from ideological disaffection on the part of individuals and splinter political groups disaffected from both the domestic and foreign engagements referred to in (1) and (2) above.

The periods of both the First World War and the Vietnam War saw all three of these conditions present simultaneously. They were not all present during the Second World War and the Korean War. If they had been present, there would not have been the lengthy gap in time between the first massive engagement of the Army in domestic intelligence collection and the most recent.