

## Book Review

Justin Goldstein.

*American Blacklist: The Attorney General's List of Subversive Organizations.*

Lawrence: University of Kansas Press, 2008.

Reviewed by Howard A. Doughty

External espionage and internal surveillance doubtless date back to the ancient empires and before. Learning about foes and friends alike provides organized societies with tactical advantages in anticipation of conflicts over territory, natural and human resources. While popular entertainments make the most of secret agents foiling dastardly plots to bring whole nations to their knees, it is arguable that the deployment of internal investigators to infiltrate domestic organizations and apprehend seditious elements within national borders is at least as serious a venture. Moreover, it may have even more deleterious effects on the rights and liberties of citizens than the real-life manifestations of James Bond and Jason Bourne. By eroding personal and political freedom in order to stamp out enemies of the people or of the state within a country's borders, societies may surrender the very values they purport to protect and their enemies may win without a fight.

The concern with domestic spying is especially poignant in Western liberal democracies which have made it a point of pride to extend various packages of freedoms to their citizens. Iconic among the declarations of civil liberties and protections is the *American Bill of Rights*—commonly understood to consist of the first ten amendments to the *Constitution of the United States*. Its recognition of free speech, religious toleration and defence against the intrusions of the state are just some of the benefits afforded to individuals in that remarkable document. Yet, for all its charm, the administration of President John Adams turned against personal and political freedoms within seven years of the passage of the *Bill of Rights* and, fretting about a possible war with France, passed the *Alien and Sedition Acts* of 1798. His Vice-President, Thomas Jefferson, argued strenuously that these repressive measures violated the first (free speech) and the tenth amendments, the latter because Jefferson believed it to be *ultra vires*, outside the constitutional authority of the national government. In the short run, Jefferson's view did not prevail, and the federal government continued to exercise illicit authority with impunity until the laws expired, coincidentally with the end of the Adams administration.

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American justice has moved on. Yet, worries about foreign spies and home-grown subversives have never been very deeply submerged. The subject of Robert Justin Goldstein's book is the US Attorney General's List of Subversive Organizations (AGLOSO). Its antecedents date back to 1903, when similar registers were used as instruments of immigration policy, lurk in the background of the infamous Palmer Raids during the first "red scare" in the 1920s, and can be seen clearly in the 1940 Smith Act, which criminalized membership in any group that called for the overthrow of the US government. Once fully in place, the AGLOSO helped the US

government to infiltrate, monitor and take legal action against home-grown political dissidents for over three-quarters of a century. Its was, however, mainly in the decade after World War II that it was a principal factor in suppressing domestic dissent. Under the authority of the Department of Justice and increasingly in the hands of the Federal Bureau of Investigation, influence of the AGLOSO was roughly concurrent with the anti-communist hysteria of the late 1940s and 1950s, and remained in effect until it was officially brought to an end in 1974. In Goldstein's view, AGLOSO's "critical and central part [in] the post-World War II "Red Scare" [was] far more important ... than the role of Sen. Joseph McCarthy, who arrived on the anti-communist scene only in early 1950 well after the Red Scare was underway."

Goldstein tells the story well. Meticulous research into the methods and motives of the authorities reveals a peculiar history that mainly involved the targeting of approximately 300 groups and organizations, and published their names without prior notice, public hearings, criminal charges or any requirement to adduce reason or evidence.

The primary expressed goal of providing an inventory of allegedly subversive organizations was to ensure the loyalty of public servants. It was used to screen people in sensitive security positions during World War II, but it was given a great boost by the creation of what Gore Vidal calls the "national security state." In 1947, President Truman authorized the publication of the list (it had previously been kept secret) and, in the opinion of *Washington Post* writer Alan Barth, began "perhaps the most arbitrary and far-reaching power ever exercised by a public official." The Attorney General could place any organization of which he disapproved on the list and thereby stigmatize any or all of its members, without due process of law or legal recourse for the victims.

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Whether motivated by sincere concerns about an alien ideology or simply for domestic partisan purposes, President Truman in a series of sweeping moves imposed a federal loyalty oath on federal public servants, established the National Security Council and the CIA, and unleashed the FBI on critics of American society or government policy. As Goldstein says: the FBI's legislated "authority combined with a general lax supervision of the bureau by the [Department of Justice], was used by the FBI during the next thirty years as the legitimation of its unrestrained investigation of individuals and groups within American society. Nor were its activities limited to gathering "intelligence," for they also included the extensive use of an assortment of unlawful methods, including burglaries, illegal wiretaps, and other intrusive means.

Truman's chief rival within the Democratic Party, Henry Wallace, was outraged: "The President's executive order," he protested, "creates a master index of public servants. From the janitor in the village post office to Cabinet members, they are to be sifted, and tested and watched and appraised." The inventory of potential "enemies of freedom" soon grew to include lawyers, civil rights activists and peace advocates.

In response to Wallace, Truman could not have been more clear: “The attempt of Lenin, Trotsky, Stalin, et. al.,” he intoned, “to fool the world and the American Crackpots Association, represented by Joseph Davies, Henry Wallace, Claude Pepper, and the actors and artists in immoral Greenwich Village, is just like Hitler’s and Mussolini’s so-called socialist states.” Glenn Beck couldn’t have said it worse.

Early in 1965, I visited the FBI Building in Washington DC. In the lobby was a massive globe, with a black spider perched on top, its hideous appendages extending out from Moscow to spread its venom to countries such as Cuba and Vietnam. The aggressive arachnid represented International Communism. Its crude representation seemed a trifle out-of-place on the cusp of Lyndon Johnson’s “Great Society”; but, as events in the Dominican Republic, South-East Asia and Chile would soon demonstrate, the fear of the communist menace was an ideological driving force in attracting support for US imperial policy. At home, the military was celebrated in public rituals and popular culture, while those who dissented from the war policy were labeled unpatriotic or, worse, treasonous.

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Now talk of “perimeter defence” and “fortress North America” alerts us to the fact that the main thing to have changed since the infamous “9/11” is that the object of fear has switched from political ideology to religion. Apart from that, the pattern of panic-mongering has been retained, but this time with monstrous data banks and without the same constitutional safeguards (feeble though they might have been) in *any* country that has seen fit to increase its own security by spying more vigorously upon its own citizens. The AGLOSO may have been removed, but its spirit remains, and its aims are surely being pursued more forcefully, if less transparently in the actions of the authorities pursuing their relentless (if pointless) “war on terror.”

Robert Justin Goldstein has provided an excellent and richly detailed account. It is not, however, of interest only to historians and those who imagine that the issues it raises are from a previous era. “The price of liberty is eternal vigilance,” is a saying attributed to any number of early American writers, lawyers and politicians (though most often linked—probably falsely to Thomas Jefferson. A deep current in American history and in the history of most and possibly all democratic countries is, however, one of repression and fear. Today, when the sovereignty of nations seems unable to keep up with, among other things, the enormous development of information technology, the sharing of intrusive data banks and the absence of civic control over military and civilian intelligence organizations, we may need not just vigilance, but relentless robust interrogation of those who purport to protect us ... perhaps against ourselves.

**About the Author:**

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