

America's Unchecked Security State: Part I: The Toxic Legacy of J. Edgar Hoover's Illegal Powers 歯止めなき米国の治安維持体制(I)—J. エドガー・フーバーの有害な遺産

Peter Dale Scott

"Dear Bess.... Hoover would give his right eye to take over [from the Secret Service] and all Congressmen and Senators are afraid of him. I'm not and he knows it. If I can prevent [it] there'll be no NKVD or Gestapo in this country. Edgar Hoover's organization would make a good start toward a citizen spy system. Not for me."

-- President Harry S Truman, 1947

"The other night, we picked up a situation where this senator was seen drunk, in a hit-and-run accident, and some good-looking broad was with him. We got the information, reported it in a memorandum, and by noon the next day, the senator was aware that we had the information, and we never

had trouble with him on appropriations since."

-- FBI Assistant Director Cartha DeLoach¹

"We live in a dirty and dangerous world. There are some things the general public does not need to know and shouldn't. Democracy flourishes when the government can take legitimate steps to keep its secrets and when the press can decide whether to print what it knows."

--Katherine Graham, publisher of the *Washington Post*, during a speech at CIA headquarters, 1988.

Power tends to corrupt, and absolute power corrupts absolutely. Great men are almost always bad men."²

--Lord Acton in an April 1887 letter to the

Anglican Bishop of London.

Peter Dale Scott

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J. Edgar Hoover, Joseph McCarthy and Our Doomsday Mania

Both scholars and ordinary Americans now look back with relief on McCarthyism and “the anticommunist hysteria of the early 1950s,”^[3] in the belief that we have outgrown such paranoia and disregard for law and human rights. But the personal excesses of McCarthy were surface manifestations of deeper illegal institutional procedures, mostly initiated by J. Edgar Hoover, that never really ended, and indeed have since proliferated.



Joseph McCarthy

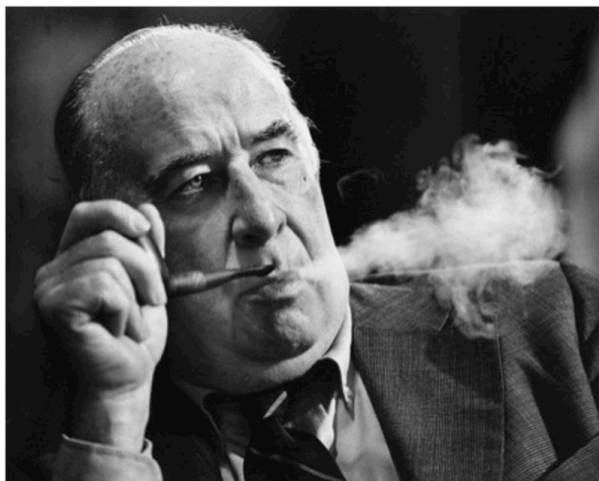
This has been especially true since the implementation of Continuity of Government

(COG) measures on 9/11, measures that for two decades had been refined in the Pentagon’s “Doomsday Project,” by an extra-governmental (and arguably unconstitutional) secret committee including Donald Rumsfeld and Dick Cheney.⁴ As Patrick Thronson has observed in a law journal article, “continuity-of-government procedures...confer powers on the President—such as the unilateral suspension of habeas corpus—that appear fundamentally opposed to the American constitutional order.”⁵ Yet some of these measures were then hastily made law in the USA PATRIOT act of 2001, in support of the so-called “War on Terror.”⁶

In the *9/11 Commission Report* we read (p. 394) that “Congress responded, in the immediate aftermath of 9/11, with the Patriot Act.” But the Patriot Act, which Congress (nudged by false-flag anthrax attacks) passed without time to read it, did not begin as a *response* to 9/11. Like the infamous Tonkin Gulf Resolution of 1964, with which it deserves to be compared, it had been prepared well before the event to which it “responded,” in this case slowly and patiently over decades, starting in the 1950s. In other words, it was the product of an almost continuous level of secret emergency planning, going back to J. Edgar Hoover, that I shall show to have underlain both 9/11 and Iran-Contra, and perhaps even Watergate.

As Len Colodny and Tom Schachtman have noted,

Among the most striking features of the PATRIOT Act was its resurrection of the long-discredited Huston Plan of 1970. The new bill permitted the FBI, CIA, and other agencies to engage in activities that had so horrified Attorney General John Mitchell that he convinced Nixon to rescind the plan four days after it was promulgated. Mitchell considered unconstitutional the Huston Plan's provisions for warrantless wiretapping, opening of mail, "black-bag" burglaries by U.S. agents, surveillance of various sorts, and preventive detention.⁷



Attorney General John Mitchell authorized some illicit measures; but also, at Hoover's urging, he rescinded one, the so-called Huston Plan. Photograph James Atherton

And the "threat" which the Huston Plan had addressed (in the same year as the shootings of students at Kent State and Jackson State) was an

internal one: the danger that anti-war and other popular movements might force a lasting foreign policy change on Nixon and his successors: a change preventing America from waging future aggressive wars. (At one stage the Huston Plan envisaged the creation of camps in Western states for the detention of anti-war protesters.)

Two of the provisions that Mitchell found unconstitutional – warrantless surveillance and preventive detention – can be found not just in the Patriot Act of 2001, the COG provisions of the 1980s, and the Huston Plan of 1970, but still further back: in the review of emergency detention plans ordered by LBJ after the March 1967 March on the Pentagon,⁸ and in the McCarran Internal Security Act of 1950 (eventually overturned).⁹ Ultimately the plans derive from secret powers that Hoover illegally arrogated to himself, despite explicit prohibitions from different Attorneys General.¹⁰

At this point one can narrate two different histories of these secret or deep powers. On the public level, the emergency detention provisions of the McCarran Act were never used; and they were repealed in 1971, as Hoover's reputation finally withered and Congress became more responsive to antiwar dissenters. But on a deeper level, Congress had achieved far less than they had hoped.

Attorney General John Mitchell approved FBI Director Hoover's

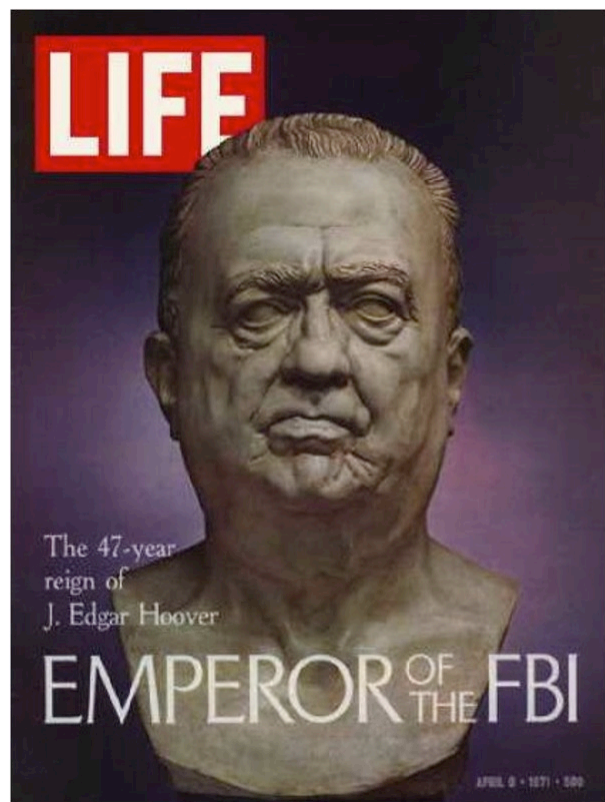
recommendation that the FBI continue investigating individuals “who pose a threat to the internal security of the country” for inclusion in an “administrative” index for anticipated future detention.¹¹

In other words, the only practical consequence of the Congressional repeal was that Hoover’s existing Security Index for the detention of individuals now had a new name.¹²

Also on a deeper level, the planning for detention continued, almost without a break, until it was finally put into effect on 9/11. In like fashion other illicit powers, initiated by Hoover, were either developed or implemented, first by the Nixon White House and later under Reagan’s CIA Director William Casey and Oliver North. On the public level, again, thanks largely to the congressional investigations of Watergate and Iran-Contra, these proliferations were checked. But I hope to show that, while both Nixon and North were ousted, the plans for illegality they encouraged continued, almost continuously, on a deeper level.

This essay demonstrates that these deep powers are illegal, unchecked, and for the most part unwarranted. Some of them may indeed be needed, because America’s dangers both at home and abroad today do in fact call for unusual and perhaps unprecedented responses. The recent

horror of the Boston Marathon bombings makes this all too clear. But the Boston tragedy was not solved by the grandiose excess of locking down an entire city, but by legal and public methods of police work. The case illustrates one main thesis of this essay: that the deep powers assembled by the unchecked American security state are vastly in excess of what is needed, to the point of being counterproductive.



J. Edgar Hoover

They have not been designed to meet real threats today, but are the result of past unchecked bureaucratic proliferation since the 1950s, mostly after the real Soviet threat to U.S. security had passed.¹³ They were refined with sustained energy by COG planners in the 1980s, when the “Soviet threat” had become a phantom

resurrected only in the propaganda mills of William Casey's CIA.

The key to the renewed planning was the specter of Soviet-inspired terrorism. The notion that the Soviet Union was behind global terrorism was forced on CIA professional analysts in 1981 by CIA Director Casey, citing a single book, Claire Sterling's *The Terror Network*, that is now almost universally discredited.¹⁴ Yet the hysterical CIA estimates at that time of the Soviet threat soon became permanently embodied in the hysterical provisions of the Doomsday Project, especially after their implementation in 2001. I shall argue shortly that these unchecked measures, far from being a response to 9/11 and al Qaeda, actually contributed (perhaps blindly), to the events that now are used to justify them.

And when we compare the fifties to what is happening now, we must recognize that America today is caught up in a new hysteria, or collective insanity, that is far more over-reaching and dangerous to personal liberty than the hysteria of either Joe McCarthy or William Casey. Warrantless surveillance and detention, in particular, exist today on a scale that would have been inconceivable then. And, as before, on a scale vastly beyond both the law and what is actually needed for our security.

As in the case of McCarthyism, the people are not the original sources of this hysteria, but receptacles and responders to a hysteria

generated by their leaders. There were many reasons for this hysteria in the Cold War, some of them not at all irrational. But central to the origin of Hoover's illegal unchecked powers was his auto-intoxication with his own power. One of my most certain conclusions from writing this essay is an adaptation of Lord Acton's famous aphorism, written in a comparable era of rapidly expanding and unchecked British imperial powers.

Lord Acton wrote: "Power tends to corrupt, and absolute power corrupts absolutely."¹⁵ Even in the absence of absolute power, we can still say that "Power tends to intoxicate, and unchecked power intoxicates irrevocably." Since World War Two we have seen the conspicuous examples of Truman's Secretary of Defense James Forrestal and later senior CIA officer Frank Wisner: both these men went insane, had to be removed from office, and subsequently committed suicide. Less dramatic were the cases of McCarthy and President Nixon: neither man was ever certified insane, but both lost power rapidly when they succumbed to the follies of their manic or paranoid power overreaches.¹⁶

I will argue that the same model of manic or paranoid self-destruction applies, less conspicuously, to other figures, less important in public history than in this present narrative of unchecked power: men such as Assistant FBI Director "Crazy" Bill Sullivan, CIA counterintelligence chief James Angleton, Oliver

North, and most recently Bush's Defense Secretary Donald Rumsfeld.¹⁷ All three men abused their assigned powers irrationally, to such an extent that their excesses resulted in their being driven from office.¹⁸ (An important, instructive, but more debatable example is that of Hoover himself. Hoover survived for decades as long as he was restrained in his exercise of power; but both his sanity and his invulnerability were visibly weakening before his death.)

It is a tribute to the long-term sanity and homeostasis of the American political system that all these men – the central figures in this essay – lost clout to a greater or lesser degree after this inevitable autointoxication from unchecked power. Unfortunately the process I am describing is not a wholly self-correcting one. All of these men (except Hoover) were ousted. But the hysteria they had generated not only survived, but in every case became more securely grounded in excessive secret institutional arrangements: the modern unchecked security state.¹⁹

What shall we call the new hysteria? I was once tempted to call it Cheneyism, after the man who with Donald Rumsfeld planned for the resurrection of these unconstitutional practices for almost twenty years, before implementing them on the morning of 9/11. But the new hysteria has outlasted Cheney, and is by now far more institutionalized than the eccentric vagaries of either McCarthy or even his puppet-master, J.

Edgar Hoover. But even at this deeper structural level, we see a recurring cycle of manic institutional repressiveness (notably under Richard Nixon) followed by efforts of saner retrenchment (the post-Watergate reforms of the late 1970s instituted chiefly by the Senate Church Committee). Since 9/11 the institutional proliferation of secret, self-defeating repressive powers has become manic again, much as our economy in the same decade has passed through recurring periods of manic exuberant bubbles, followed by recession.²⁰

I call our new hysteria the Domsday Mania, after the Domsday Project that was the Pentagon's name for the 20 years of COG planning to suspend parts of the U.S. Constitution.²¹ The Domsday Project began under Reagan in 1982 as emergency planning "to keep the White House and Pentagon running during and after a nuclear war or some other major crisis."²² Expanded at the end of the Reagan presidency to cover planning for *any* emergency, the planning was entrusted to a secret committee including Donald Rumsfeld and Dick Cheney, even when both men were no longer in the U.S. Government.²³ Composed mostly of fellow Republicans, even under Clinton, the committee became what a former Pentagon official described as in effect "a secret government-in-waiting."²⁴

From its outset in 1982 to its implantation on 9/11, the Domsday Project was indeed

apocalyptic, in its baseless determination that America faced a terrorist crisis so dire that the constitution needed to be partly set aside. A decade before 9/11, its far-reaching arrangements were expanding the groundwork of Oliver North, to create what CNN in 1991 already described as a “shadow government...about which you know nothing.”²⁵

Taking the long view, we can see that the human rights granted (or recognized) by the American Constitution were so broad and unprecedented that they have bred cycles of hysteria almost from their outset.²⁶ In the elections of 1796 and 1800 Republicans claimed that John Adams was determined to restore monarchy in the United States, while Federalists conversely feared that Jefferson and his allies might import into America the worst features of the French Revolution.²⁷

Elected as president, Adams, fearing French revolutionary intervention, secured the passage of the Alien and Sedition Acts. These bestowed on the president ill-defined powers to criminalize free speech and to detain and deport resident aliens he deemed dangerous. In short the new era of freedoms under checks and balances had swiftly bred its opposite: a resort to unchecked presidential powers to restrain those freedoms.

This dialectic between checked (constitutional or public) and unchecked (secret or deep) powers has marked American history ever since,

especially in America’s rapid expansion since World War II from a democracy into a global empire. In seven decades we have seen such well-publicized crises as the U-2 flap in 1960 which ended plans for an Eisenhower-Khrushchev summit, Nixon’s conflict with Congress and the courts in the Watergate crisis, and Reagan’s showdown with Congress in the Iran-Contra crisis. Less noticed were other contests between checked and unchecked power that were no less momentous – such as the so-called Halloween massacre of 1975, part of Rumsfeld’s and Cheney’s successful campaign from the Ford White House to block the efforts of Senator Church and others to bring the CIA and FBI under more effective congressional restraints.²⁸

The nation’s divisions in 1796 anticipated our division today. Madison’s comment on Adams’ behavior is especially pertinent: “Perhaps it is a universal truth that the loss of liberty at home is to be charged to provisions against danger real or pretended from abroad.”²⁹ And while most Americans probably remember the deportation features of Adams’s laws as a quaint anachronism, a Homeland Security (DHS) publication of 2003, enacting COG provisions for massive detention in a ten-year Project Endgame, announced that its

Detention and Deportation
Program, now the Office and

Detention and Removal (DRO), was established in a 1955 reorganization of the INS [Immigration and Naturalization Service] to carry out a mission first articulated in the Alien and Sedition Acts of 1798.... Legislation since then has expanded the detention and removal operations...³⁰

The INS detention program of the 1950s was the result of detention measures in the McCarran-Walter Immigration and Nationality Act of 1952, which Congress repealed in 1971. As we shall see, these measures were the embodiment in law of detention and deportation powers that Hoover had earlier arrogated to himself illegally. But far greater numbers of Americans were illegally detained after 9/11 than were ever detained by Hoover.³¹

Warrantless surveillance, another feature of the new Doomsday Mania, has as we shall see, a similar history tracing back to Hoover. Though statistics are lacking, it would appear that such surveillance today is also far more widespread than under Hoover. And Hoover's practice of leaking illegally gathered information to blacken people's reputations, causing them to lose their jobs or be defeated for reelection, has been revived by the FBI today.

The post-9/11 Doomsday mania has also been marked by the widespread use of torture in

interrogations, and also by targeted assassinations, even against U.S. citizens. As we shall see, such practices were also used in the Hoover era, but sparingly. President Obama has ordered an end to torture practices, but has radically increased the use of drones for targeted assassinations – a tactic once explicitly forbidden by presidential order.

In a sense drone killings today are not secret, but the Obama administration consistently lies about the program, leading Glen Greenwald to comment, "People who exercise power inevitably abuse it when they can wield it in secret. They inevitably lie about what they do when they can act in the dark."^[32] The NSA meanwhile is engaged in a domestic data-mining program that is so extensive former NSA insiders fear it could help "create an Orwellian state."³³

Americans are left with a vague sense that their country has changed, but are mostly (as in the era of McCarthyism) either too caught up in the Doomsday Mania to recognize its paranoia, or else frozen in a state of semi-traumatized denial (much like the "good Germans" of the 1930s).³⁴ The minority who oppose the present mania mostly feel either powerless, or uncertain as to what first step must be taken to end it.³⁵

Meanwhile we are living under a government that in certain respects is increasingly lawless and out of control. It is true that the government is facing new challenges of a type never

experienced before, and that some emergency measures are justifiable in this crisis. But clearly the breakdown of legal restraints is counterproductive in the badly named “War on Terror.” To give just one example, the number of jihadist warriors in the world has increased, as Tim Weiner notes, after “the images from Abu Ghraib became a recruiting poster across the world.”³⁶ This example of counterproductive unchecked illegality is not just an anecdote, but only one example of how the so-called “War on Terror” has done more to generate and perpetuate terror than to contain it.³⁷

Weiner believes that the Doomsday Mania has in some respects abated since the first G.W. Bush administration, because the FBI under Obama has now adopted a 460-page set of guidelines calling for “rigorous obedience to constitutional principles and guarantees.”³⁸ But David Shipler, another *Times* reporter, has dismissed recent headlines about the breaking of “lethal terrorist plots”, saying that they were in fact “dramas...facilitated by the F.B.I., whose undercover agents and informers posed as terrorists offering a dummy missile, fake C-4 explosives, a disarmed suicide vest and rudimentary training.”^[39]

Meanwhile there are no comparable moves towards curbing the NSA’s controversial data-mining of Americans, or the most illegal and counterproductive programs of all – the Special Forces killer squads and drone attacks, which in

August 2012 killed a respected moderate Yemeni cleric, along with the al Qaeda representatives with whom he was negotiating.⁴⁰



The National Security Agency, America’s largest intelligence agency, is also one of its least supervised.

Even within government, there are increasing numbers of people who recognize that the secret powers of other agencies also need to be similarly brought back under legal control. But many congressional attempts to address the problem of state illegality can be considered to have actually aggravated it, by regularizing illegal practices in a statute. A prominent example was the National Defense Authorization Act (NDAA) of 2012, which authorized the President, at his urging, to detain U.S. citizens indefinitely.⁴¹

What is needed instead is a redirection of the U.S. Government away from mania and illegality, such as that which ended the McCarthy era. But to so deal with the remaining illegalities of the Doomsday Mania, it will be helpful to understand their illegal origins in steps taken by J. Edgar Hoover, at first against explicit orders from his superiors, the Attorneys General. Though there is never any single cure to widespread social problems, it is high time, I

believe, for a first step towards normalcy to be taken: to end the source of illegal powers, namely, the state of emergency proclaimed after 9/11. And to take that step I agree with Madison that we must understand how we got here: "A people who mean to be their own governors must arm themselves with the power that knowledge gives."

Hooverism as the Source and the Model for Deep State Illegality

It is clear that human rights today are under attack, along with the constitution itself; yet there is no consensus on how to respond. Some, ranging from the Tea Party on the right to anarchists on the left, believe that the enemy is the state itself. Another group, which once included myself, have pointed to a slightly different and more vulnerable primary enemy -- not the state but what I have often referred to as the deep state, defined as all those powers not constitutionally or legally established that are driving the exercise of state power. One purpose of this essay is to define the American deep state more precisely, as the aggregate of informal and illegal powers assembled first by J. Edgar Hoover, and later augmented with the similar powers accumulated by the CIA and other covert agencies.

Having spent several years studying the historic origins of the American deep state, I would now like to propose a third, more limited target for

activist reformers: not the powers of the deep state in themselves, but the abuse of these powers to override of the rule of law -- for the goal of American global dominance (including efforts to control the world's petroresources).

I hope in this essay to distinguish between three markedly distinct uses and abuses of the deep state:

Hooverism: the use of the assembled powers of the deep state for conservative purposes, to *preserve* the status quo by neutralizing other forces threatening it from within;

McCarthyism: the use of the assembled powers of the deep state for radical purposes, to *modify* the status quo and effect political change;

Doomsday Mania: the wildly expanded use of the assembled powers of the deep state (as envisaged under the Doomsday Project), to *suspend* the status quo, and to liberate these powers for global dominance.

McCarthyism was a brief episode of collective mania in American history,

which ended as McCarthy himself became more

and more a loose cannon out of control, demonstrably erratic in his behavior if not psychotic. Hooverism, in contrast, endured until shortly before Hoover's death. For Hoover, who became a virtual dictator within his own fiefdom of the FBI, was at the same time externally constrained in his exercise of power. This was due largely to Truman's antipathy to Hoover, which resulted in the allocation of foreign intelligence responsibilities to the CIA and OPC, blocking the strenuous efforts of Hoover, backed by Secretary of Defense James Forrestal, to claim them for the FBI.

I consider the Domsday Mania, as defined here, to be the major constitutional danger we face today to the American way of life. More than McCarthy ever did, it threatens traditional American politics, and indeed the constitution itself. I hope to show in this essay that its gross expansion of the random aggregation of deep powers assembled by Hoover, implemented in the panic and confusion immediately following 9/11 (and the subsequent mysterious anthrax attacks, another unsolved crime), has resulted in America now living under what Dana Priest has called "two governments: the one its citizens were familiar with, operated more or less in the open: the other a parallel top secret government whose parts had mushroomed in less than a decade into a gigantic, sprawling universe of its own."⁴²

When I began this essay, it was to show that the

domestic roots of the Domsday Mania, including warrantless surveillance, warrantless detention (two major provisions of the Continuity of Government provisions) along with the enabling compliance of a suppressive governing media, all had their origins in measures taken on his own initiative by J. Edgar Hoover. I once identified Hooverism with McCarthyism,⁴³ But I have come to see that the self-defeating excesses of McCarthyism quickly ended, whereas Hoover's more restrained illegalities have survived, with modifications, until the present day.

Ellen Schrecker rightly reports that, "had observers known in the 1950s what they learned in the 1970s... 'McCarthyism' would probably be called 'Hooverism.'⁴⁴ For the FBI was the bureaucratic heart of the McCarthy era."⁴⁵ She documents what is now widely known, that Hoover, through cutouts, was feeding McCarthy the information enabling him to grab public attention through televised hearings. "By the middle of 1953, however, Hoover had begun to worry that the senator's growing recklessness might somehow compromise the Bureau and so he cut off the flow."⁴⁶ Soon afterwards McCarthy was discredited – even more so as his alcoholism and other self-destructive traits became more obvious -- and he ceased to be a major influence in American politics.

The falling-out illustrated the fundamental difference between the two men's uses of secret

information. Hoover's strategy was for most of his life to acquire it to maintain influence and control over others. McCarthy's, in contrast, was to use it to expose and destroy others. But this was not the only or even the most important difference between the two men. I hope to show that Hoover's overriding policy in using secret information was to maintain the status quo, in particular to prevent either left- or right-wing radicals from effecting fundamental change. By using secret information against other individuals and agencies more powerful than himself, McCarthy's ambition (far more than Hoover's) was to bring down Truman and members of his cabinet, to realign American politics, and to promote his own career to a higher level.

The literature about Hoover falls into two genres. On the one hand are those who point to his successful responses to a series of alarming events, dating from the terrorist bombings in 1919 to Stalin's brutal repression of eastern Europe after World War II, the leakage of atomic secrets to the Soviet Union, the 1948 Communist coup in Czechoslovakia and the 1950 Korean War.⁴⁷ Hoover's defenders, not all of them ex-FBI agents, point to the fact that, as the chief U.S. counterintelligence officer between the wars, Hoover had a better awareness than most Americans of the dangers presented to democracy by Stalinist spies.

On the other hand are those who point to

Hoover's role in amassing a system of secret powers that is now far more effective in controlling the public state, than the public state is in controlling its own secret agencies. This aggregation of a second layer of power independent, and often subversive of the formal institutions of state, has consolidated the influence in America of what I have called a "deep state;" and its control over other parts of government has intensified the characteristics of America as a "dual state."

Hoover used his aggregation of secret powers to supplement and sustain what in his view was necessary to sustain public power⁴⁸. The strategic, long-term use of unchecked secret powers to override and supersede public power is what I mean by Doomsday Mania. In other words, we have seen in recent history an evolution of Hooverism, even after the death of Hoover, into an era of Doomsday Mania.

My essay will have much to say about Hoover's illegalities, and how they, as well as and in sync with external enemies, have contributed to the conspicuous decline of American freedoms since 9/11. However I have come to accept that there are limits to legal politics, and that there are extreme instances when the state, to defend public order and civil liberties, must resort to its illegal resources to supplement its legal ones.

I shall illustrate what I mean by describing Hoover's little-known use of organized crime to

defeat a growing and murderous Klan insurrection in the 1960s, a potential race war that threatened to annihilate all of the peacefully achieved results of the civil rights movement in that era. In this instance, as opposed to his unconscionable COINTEL program for “neutralizing” Martin Luther King,⁴⁹ Hoover also used deep powers to protect the public state and some of its more enlightened policies.

It is difficult to extrapolate or draw conclusions from emergency situations. Specifically I do not believe one can use Hoover’s illegalities to justify the present erosion of human liberties in the misnamed and miswaged “war on terror.” It is important to distinguish between Hoover’s use of deep powers to protect the status quo, and the current redefinition of the status quo since 2001, along with the erosion of its constitutional restraints, perhaps permanently.

What is to be done? In concrete terms, the first steps are very simple. Congress must exercise its statutory responsibility to review the state of emergency that has been in existence since September 2001, with a view to its termination. And it must also review all of the secret Continuity of Government (COG) measures that have been implemented since 9/11, including warrantless surveillance and massive emergency detentions, in order to see which of these should also be terminated.

Our decayed political process is not close to

achieving either of these goals. Most Americans are not even aware that we are in a state of emergency. The purpose of this essay is to help achieve the needed change in consciousness, by showing how secret changes, achieved illegally by Hoover, have contributed to our current democratic crisis.

And to begin with, I must challenge the prevailing mentality in the governing media, which dismisses this essay’s ensuing study of deep events as “conspiracy theory.” I shall begin with one of the examples of how the bureaucratic agendas of shadow bureaucracies have helped lead (probably unintentionally) to al Qaeda terror. This example is unfortunately far from unique.

How an FBI Decision Helped Set Up Al Qaeda Terror

In early 1993 a wanted Egyptian terrorist named Essam Hafez Marzouk, a close ally of Osama bin Laden and Ayman al-Zawahiri, arrived at Canada’s Vancouver Airport and was promptly detained by the Royal Canadian Mounted Police (RCMP). A second terrorist named Ali Mohamed, “the primary U.S. intelligence agent for Ayman al-Zawahiri and Osama bin Laden,” came to the airport to meet him; and, not finding him, made the mistake of asking about his friend at the Vancouver airport customs office. As a result the RCMP interrogated Ali Mohamed for two days, but finally released him, even though

Ali Mohamed had clearly come in order to spirit a wanted terrorist into the United States.⁵⁰

If the RCMP had detained Ali Mohamed, who was much bigger game than the first terrorist, hundreds of lives might have been saved. After being released, Ali Mohamed went on to Nairobi. There in December 1993 he and his team photographed the U.S. Embassy, and then delivered the photos to Osama bin Laden in Khartoum, leading to the Embassy bombing of 1998.⁵¹ Ali Mohamed later told an FBI agent that he also trained al Qaeda terrorists in how to hijack airplanes using box cutters.⁵²

The RCMP release of Ali Mohamed was unjustified, clearly had historic consequences, and may have contributed to 9/11. Yet the release was done for a bureaucratic reason: Ali Mohamed gave the RCMP the phone number of an FBI agent, John Zent, in the San Francisco FBI office, and told them, "If they called that number, the agent on the other end of the line would vouch for him." As Ali Mohamed had predicted, Zent ordered his release.⁵³

Ali Mohamed was an important double agent, of major interest to more important U.S. authorities than Zent. Although Mohamed was at last arrested in September 1998 for his role in the Nairobi Embassy bombing, the USG still had not sentenced him in 2006; and he may still not have gone to jail.⁵⁴ The story of his release in Vancouver and its consequences is another

example of the dangers of working with double agents. One can never be sure if the agent is working for his movement, for his agency, or – perhaps most likely – increasing his own power along with that of both his movement and his agency, by increasing violence in the world.⁵⁵

Mohamed's release in Vancouver was a deep event, by which I mean an event predictably suppressed in the media and still not fully understandable. A whole chapter in my book *The Road to 9/11* was not enough to describe Mohamed's intricate relationships with the CIA, U.S. Special Forces at Fort Bragg, the murder of Jewish extremist Meir Kahane, and finally the cover-up of 9/11 perpetrated by the 9/11 Commission and their witness, U.S. Attorney Patrick Fitzgerald.⁵⁶

The release of Mohamed was remarkably similar to the later release of David Headley (alias Daood Sayed Gilani) whom "U.S. authorities sent ... to work for them in Pakistan...despite a warning [to both DEA and FBI] that he sympathized with radical Islamic groups."¹⁴ Headley, who had been in a U.S. prison on narcotics charges, was released and sent to Pakistan as a DEA informant; but after contacting the ISI and agents of Lashkar-e-Taiba he went on to Pakistan and surveyed Mumbai for bombing targets on five occasions before the murderous terrorist attack of 2008 (much as Mohamed after his release had surveyed Nairobi).

The deep event is also an example of deep politics, a mixture of intrigue and suppression involving not just a part of the U.S. Government, but also the governing media. Let me say a bit more about the role of media suppression in the creation and preservation of deep events. To this day (according to a search of Lexis Nexis) the Vancouver release incident, well covered in Canada's leading newspaper *The Toronto Globe and Mail* (December 22, 2001), has never been mentioned in *any* major American newspaper. Nor is there any surviving mention of it in the best mainstream book about the FBI and Ali Mohamed, *The Black Banner*, by former FBI agent Ali Soufan (a book that was itself heavily and inexcusably censored by the CIA, after being cleared for publication by the FBI).⁵⁷

The U.S. press was similarly reticent in handling the DEA's release and use of David Headley. Headley's role as a DEA informant was at first acknowledged; but in 2011 U.S. reports of his co-defendant Tahawwur Rana's Chicago trial, Headley's DEA connection was treated as a mere allegation (or even speculation) of Rana's defense counsel Charles Swift.⁵⁸

For the full story one had to go to the media of Britain, Canada, Australia, or Singapore.⁵⁹

In 1998, after the Embassy bombings, Mohamed was finally arrested. In the ensuing trial an FBI Agent, Daniel Coleman, entered a court affidavit (approved by Patrick Fitzgerald) which

summarized the Vancouver incident as follows:

In 1993, MOHAMED advised the Royal Canadian Mounted Police ("RCMP") that he had provided intelligence and counter-intelligence training in Afghanistan to a particular individual.... MOHAMED admitted that he had travelled to Vancouver, Canada, in the spring of 1993 to facilitate the entry of that individual into the United States.... MOHAMED further admitted that he and the individual had transported Osama bin Laden from Afghanistan to the Sudan in 1991.... MOHAMED told the RCMP that he was in the process of applying for a job as an FBI interpreter and did not want this incident to jeopardize the application. (In fact, MOHAMED then had such an application pending though he was never hired as a translator.)⁶⁰

Like the American media, this FBI affidavit suppressed the fact that Mohamed, an admitted ally of Osama bin Laden caught red-handed with another known terrorist, was released on orders from the FBI.

The whole episode illustrates what has become

all too common in recent American history, the way in which secret bureaucratic policies can take priority over the public interest, even to the point of leading to mass murder

(since it contributed to the Embassy bombings). It is also an example of what I mean by the two levels of history in America, We can refer to them as those historical facts officially acknowledged, and those facts officially suppressed; or alternatively as those facts fit to be mentioned in the governing media, and those suppressed by the same media. This leads in turn to two levels of historical narrative: official or archival history, which ignores or marginalizes deep events, and a second level – called deep history by its practitioners or “conspiracy theory” by its critics – which incorporates them. The method of deep political research is to recover deep events from this second level.

The collaboration in deep politics of forces outside the official or public state – which includes the mass media – has persuaded me reluctantly to use the concept of the deep state, and expand it to refer, not just to covert agencies, but also to the media and other controlling forces, both inside and outside the public state.

My intention is to focus on the second kind of events – those deep events either not discussed in the governing media or else referred to dismissively as the figments of “conspiracy theory.”

But first let us consider these deep events in a larger context. I believe that some deep events – such as 9/11, Watergate, and the JFK assassination -- are structural: they are not just a part of recent American history, but have significantly shaped it.

Deep Events and Deep Powers in Recent American History

There have been four interrelated and alarming trends in recent American history. The first is America’s increasing militarization, and above all its recent inclination to involve itself in needless, pernicious, and lengthy wars. The second, closely related, is the progressive shrinking of public politics and the rule of law as they are subordinated, even domestically, to the perceived requirements of covert U.S. operations abroad.

This can scarcely be separated from the third trend: the recent increasing separation of America into two classes, into the haves and the have-nots, the .02 percent and the 99.8 percent. Although this is in a sense a revival of patterns characteristic of America’s Gilded Age in the 19th century, it is not unrelated to America’s global expansion, the resulting weakening of American labor at home, and the huge contracts let out by the Pentagon and intelligence agencies, often on a non-bidding basis.

The fourth, a factor underlying the other three, is the important and increasingly deleterious

impact on American history of what I have called structural deep events: events, like the JFK assassination, the Watergate break-in, and 9/11, which repeatedly involve law-breaking or violence, are mysterious to begin with, are embedded in ongoing covert processes, have had consequences that enlarge the scope of covert government (placing it further beyond legal authority), and are subsequently covered up by systematic falsifications in media and internal government records.

I have come to believe that these structural deep events should be studied as part of a single process. I need this term to distinguish between two kinds of deep events. Some, like the U-2 incident in 1960 that led to cancellation of a proposed Eisenhower-Khrushchev summit meeting, or the Tonkin Gulf incident in 1964 that was followed by overt U.S. war against North Vietnam, can be attributed to the workings of covert agencies within government. Important as these incidents were, they were less obviously structural: Tonkin Gulf led to a prolonged, unjust, and unneeded war, but it did not by itself instantly and permanently change the character of our government. In contrast, the John F. Kennedy assassination and (I believe) 9/11 involved complex machinations both inside and outside government, plots perhaps involving both the state and deep forces outside it.

In its origins the American deep state was no more than a milieu or arena of action involving

three important areas beyond public consciousness: the underworld of organized crime, the overworld of wealthy persons and interests with contacts in organized crime, including both America's old Protestant Ascendancy (as Burton Hersh has named it)⁶¹ and also America's self-made new ascendancy (chiefly Catholic and Jewish) Finally it included the state itself, particularly the state's semi-legal covert elements like the FBI and CIA with their special relationships to both underworld and overworld. In short, it was a widespread milieu of many relationships which are normally suppressed in the public consciousness and above all in the governing media. But the deep state slowly acquired more and more elements of coherence, as Hoover, over a period of decades, aggregated these various deep powers, legal and illegal, for his own purposes.

These normally suppressed relationships exist, and affect history; but they did not cohere until recently. Thus I will refer more often to deep powers and only sparingly to acts of the "deep state," even then not so much to attribute blame to it as obliquely to exonerate the public state itself – much as we use the term "act of God," not to blame God (still less to prove God's existence), but obliquely, to indicate humans are not responsible. There are two kinds of deep powers referred to in this essay: both those that Hoover was able to use for his purposes and also those of others outside his realm of influence. In this

essay we shall discuss almost exclusively the former.

The concept of a “deep state” is however useful in in all developed societies, because of the failure of the state to live up to Max Weber’s definition of it: as an entity which successfully “claims the monopoly of the legitimate use of physical force within a given territory.”⁶² This is true even in a state with vast military power and no significant external security threat from another nation or group of nations.

As I studied the JFK assassination, I quickly recognized that Lee Harvey Oswald’s murderer, Jack Ruby, through his involvement with local prostitution (and allegedly drugs), had special relationships with organized crime in Chicago, Dallas, and Cuba, with wealthy oilmen and other members of the Dallas underworld (some of them friends of J. Edgar Hoover), and most significantly with the Dallas police.⁶³ All these relationships were “deep” in the sense that they were suppressed or downplayed by the Warren Commission in its report.

The Warren Report was systematic in its suppressions, in order to marginalize both Lee Harvey Oswald and Jack Ruby as forces external to the American political system. For example, the Warren Commission reported their belief “that the evidence does not establish a significant link between Ruby and organized crime.”⁶⁴ They chose to suppress many credible reports that

Ruby could secure Dallas police protection for high-level gambling and narcotics transactions; and they also chose not to transmit the discovery by one of their junior staff attorneys “that one of Ruby’s suspicious phone contacts, the convicted Teamster organizer Barney Baker, had phoned Dave Yaras [one of the Chicago nob’s most notorious assassins] the night before the assassination.”⁶⁵

Ruby’s relationships were not just local but international. Ruby, in a vain attempt to be interviewed by Earl Warren in Washington rather than Dallas, dropped the name of a mutual lawyer acquaintance, Alfred McLane; the name was so sensitive that the Warren Hearings in four instances never once spelled his last name correctly. Yet Warren immediately understood Ruby, and responded, “Alfred was killed in a taxi in New York” (5 WH 205-06).

McLane was general counsel for an oil company, Rimrock Tidelands, whose representative in New York, Santo Sorge, was listed in Congressional Hearings as “one of the most important [Sicilian] mafia leaders... probably [with] liaison duties between highest ranking Mafiosi in the United States and Italy.”⁶⁶ Mafia representatives are expert in government corruption, which may explain why Sorge’s paper company was able to obtain oil leases in Tunisia, leases then farmed out to legitimate development companies and ultimately to the oil majors.⁶⁷

The Role of Covert Agencies in Combating Deep Political Research

To my knowledge none of the hard facts in the preceding paragraphs is disputed. Nevertheless, these relationships are usually suppressed (perhaps because of their importance to the deep forces in our society). They were avoided altogether by the Warren Commission, and later perversely distorted by its successor, the House Select Committee on Assassinations (which portrayed Ruby as a mobster, rather than as a connection between the mob and the Dallas police).

In like fashion the 9/11 Commission suppressed significant evidence in order to marginalize the alleged hijackers, and relied instead on virtually worthless testimony about al Qaeda obtained by torture.⁶⁸ For example, the 9/11 Report, relying on torture testimony, called torture victim Abu Zubaydah (Zayn al-Abidin Muhammad Husayn) a 'Bin Ladin lieutenant,' [261] and an 'al Qaeda lieutenant.'" [277], saying that he had been "a major figure in the [2000] millennium plots" [255].

All of this was subsequently questioned, and to date Zubaydah has never been charged with anything. In 2009 the *Washington Post* reported,

Abu Zubaida was not even an official member of al-Qaeda, according to a portrait of the man

that emerges from court documents and interviews with current and former intelligence, law enforcement and military sources.... [O]ne former Justice Department official [said] "To make him the mastermind of anything is ridiculous."⁶⁹

In the same year the U.S. government itself, fighting Zubaydah's motion for habeas corpus, explicitly chose not to contend "in this proceeding that Petitioner [Zubaydah] was a member of al-Qaida or otherwise formally identified with al-Qaida."⁷⁰

Anyone who even questions the governmental account of 9/11 earns the title "conspiracy theorist." In the wake of 9/11 the U.S. Government website has, since 2005, supported various versions of a "Conspiracy Theories and Misinformation" page, which still seeks to debunk "9/11 conspiracy theories;" and for a while attempted, unsuccessfully, to prove that "conspiracy theories" about Dallas were false.⁷¹

Since 1963 both the FBI and the CIA have taken steps to counter the efforts of critics to challenge the official story on Dallas.

For example, when Drew Pearson reported [correctly] that the FBI had interviewed Oswald [just] before the

assassination, yet failed to warn the Secret Service about him, the FBI tried to silence the columnist.... The FBI even resorted to “dirty tricks” to suppress dissent over its conclusions. In February 1964, when Mark Lane was planning to present the case for a [second] grassy-knoll assassin before a public meeting at Town Hall in New York, the FBI tried unsuccessfully to prevent the meeting from taking place.⁷²

The CIA also took steps, not just to refute critics of the Warren Commission, but to discredit them. In 1967, for example, the CIA sent out to its stations a guidance memo, entitled “Countering Criticism of the Warren Report,” which advised its officers to, among many other things, “point out...that the critics are...politically interested...financially interested...hasty and inaccurate in their research;”⁷³

*

The Source of Hoover’s Illicit Power: the FBI’s Intelligence Division

By the 1960s Hoover had become one of the most powerful political figures in America, thanks chiefly to his ability to use the FBI’s Investigative Division to intimidate, blackmail, or destroy the careers of those he deemed dangerous political dissidents.

Hoover had first exercised this power during the Red Scare of 1919, when, as head of the Justice Department’s General Intelligence Division, he had without trial deported hundreds of aliens in the so-called Palmer Raids (along with Emma Goldman, who was arguably an American citizen).⁷⁴ Hoover had acted at times without consulting or informing President Wilson, in collaboration with a huge army of volunteer spies, the American Protective League, which had been organized by business executives.⁷⁵ Hoover did not by any means act alone: to help put down a national steel industry strike at this time, the U.S. army imposed martial law in certain areas.⁷⁶

One should acknowledge that Hoover himself briefly played a different role, professionalizing the Bureau of Investigation, and accepting for about a decade the directive given him by Attorney General Harlan Stone on May 13, 1924: “The activities of the Bureau are to be limited strictly to investigations of violations of law.”^[77] Although he had been a major player in the Palmer Raids of 1919-20, Hoover now dismantled his Investigative Division (for over a decade), concentrated on solving personal crimes already committed, such as bank robberies, and never again involved the Bureau in anything like the Palmer Raids. On the contrary, in 1941 he was a leading opponent within the government of the decision (which originated with a local Army field commander) to round up and intern

Japanese Americans.⁷⁸ This wholesale internment program overrode Hoover's own proposal for the selective detention of those Japanese already identified on the FBI's Custodial Detention list (described below). It represented, in effect, an unexpected Army rebuff to Hoover.

Instead, the Bureau of Investigation, which in 1935 became the Federal Bureau of Investigation, pursued bootleggers, bank robbers and other gangsters, from John Dillinger to Al Capone. Non-criminal intelligence files on the general public only became the hallmark of the FBI after 1936, when Roosevelt told Hoover he was interested in "'obtaining a broad picture' of the Communist and Fascist movements" in America."⁷⁹

Roosevelt was responding to a troubling message from Hoover about American right-wing activity at the highest level. In 1935 Marine Corps Major General Smedley Butler reported to Hoover that he had been approached by two representatives of Wall Street to lead a right-wing coup d'état against President Roosevelt. Curt Gentry writes that "Hoover informed Butler that since there was no evidence that a federal criminal statute had been violated, he did not have the authority to order an investigation."⁸⁰ We see here a key to Hoover's political astuteness: his refusal ever to involve himself in disputes among those whose power was equal to or greater than his own. (We see this again in his refusal, for years, to involve the FBI in the investigation of either organized

crime or the international drug traffic.)

However Hoover sought and obtained authority from FDR to reestablish his Investigative Division, after a second report from General Butler: that the indigenous American Fascist, Father Charles Coughlin, had "approached General Butler and urged him to lead an armed expedition into Mexico, its purpose to oppose the Cárdenas government and restore the church."⁸¹

This time Hoover reported Butler's information to Roosevelt; and obtained from the president, on August 24, 1936, a verbal go-ahead to conduct investigations on a wide range of domestic political activities, right and left.⁸² With this go-ahead, Hoover reestablished an Intelligence Division, which eventually evolved into the source of his power over others, including law-abiding Americans.⁸³ According to Marc Aronson,

That secret conversation was the moment when Hoover's life story changed American history. He was given real authority to protect the nation, which he slowly but surely transformed into the right to play by his own rules, even if that totally undermined the laws and principles of the democracy he was protecting.⁸⁴

Because no law or written document had conferred this power on him, Hoover was free to rely increasingly on illegal methods to collect intelligence, ranging from bugs, mail-openings and wiretaps to break-ins.⁸⁵ He knew very well that information gathered illegally could not be used in prosecutions. But Hoover's aim was to use information, not for prosecution, but to intimidate and control all sectors of society, especially those with other forms of power.

His method of dealing with Father Coughlin is a good example of this.

Hoover kept a sharp eye on the outspoken priest, who by 1940 was probably America's most powerful pro-Nazi anti-Semite, with a radio show reaching possibly thirty million listeners. In January 1940 the FBI raided an office of the Christian Front, a group supported by Coughlin, for plotting to overthrow the government. Two years later Coughlin was silenced and his radio show went off the air.

Coughlin's subsequent silence, which lasted for decades, is usually attributed to an order from his bishop, after a deal negotiated with Attorney General Biddle.⁸⁶ But after Coughlin's death in 1979, his psychiatrist revealed that what silenced the priest had not been

sudden obedience to his bishop, whom he had successfully defied for several years. That cover story was

circulated in May 1942 by church authorities.... Coughlin felt the effects of... J. Edgar Hoover [who] had proof of Coughlin's homosexual activity. That proof, communicated in the verbal exchange between Hoover and Coughlin, was sufficient to silence Coughlin's public voice until May 24, 1972.... Hoover had died just three weeks earlier, on May 2, 1972.⁸⁷

Hoover's silencing of Coughlin demonstrates that he used his intelligence files, not just against the left, but against any force threatening the somewhat corrupt status quo maintained by his own secret powers.

Armed in 1936 with Roosevelt's verbal authorization, Hoover proceeded to amass a list of files on tens of thousands of Americans. He was not timid in selecting targets. In 1946, bypassing Attorney General Tom Clark whom he knew would be disapproving, Hoover reported in a memo to Truman via George Allen, a wealthy businessman who was a friend, that "There is an enormous Soviet espionage ring in Washington," including "a number of high officials" – specifically including undersecretary of state Dean Acheson and former assistant secretary of war John J. McCloy.⁸⁸

When Truman proved uninterested in Hoover's dire warnings, Hoover turned instead to the

House Un-American Activities Committee (HUAC) and the Senate Internal Security Subcommittee (SISS), sharing his files above all with two selected spokesmen, young Congressman Richard Nixon of HUAC in 1947, and later Senator Joseph McCarthy of the SISS in 1950.⁸⁹ Armed with information from Hoover to capture headlines, first Nixon and later Ronald Reagan were launched into careers of public prominence that led them to the White House.⁹⁰ Both men, in different ways, would then contribute to the further institutionalization of the covert intelligence powers first developed by Hoover.

Hoover eventually collected information on all those with political influence, from members of Congress to the very wealthy; and he retained personal control over this information in his files to protect his position. For example he reportedly had

343 closely held case files on the business activities of Joseph P. Kennedy, starting with the bootlegging years and including coverage of several illegal – treasonous, even – transactions brought off while Kennedy was Ambassador to the Court of Saint James.⁹¹

By all accounts, Hoover's wealth of such

information is what enabled him to retain his office as Director for life, and perhaps influence other major political decisions.⁹²

Hoover's Powers and the Strengthening of the American Dual State

The election of Eisenhower in 1952 enhanced Hoover's status in Washington, and also that of his projects.

Hoover's men... oversaw internal security purges throughout the government, destroying lives and careers over suspicions of disloyalty or homosexuality.... With the full backing of Secretary of State John Foster Dulles, an FBI agent [personally approved by Hoover] named R.W. "Scott" McLeod took a job as internal security chief at State. His political purges of Washington and embassies and consulates overseas used FBI methods, including wiretaps, to force liberal and suspected leftists out of the foreign service.⁹³

Between May 1953 and June 1955 only 8 persons were dismissed as security risks but 273 submitted their resignations.... The result was a self-censorship which undoubtedly had an effect on

American foreign policy, few daring to express their opinions freely for fear they would be accountable to McLeod and, eventually, McCarthy, with whom he shared the findings of his investigations. Through McLeod and his cadre, Hoover was tapped into every part of the State Department. Aides say he knew many of [John Foster] Dulles's decisions even before the president did.⁹⁴

The victims particularly affected were old "China hands," like John Paton Davies, who had offended the China Lobby by their negative assessments of Chiang Kai-shek and the KMT.

Thus was officially instituted a system whereby one part of government, the FBI, gained the power to install its agents in another, for the purpose of affecting its policies by purging its personnel. The resulting demoralization and reorientation of State long outlasted the fall of McCarthy. It led to two decades of unreal China policy, accompanied by a long-lasting inability of State to oppose reckless CIA and Pentagon escalations of anticommunist violence in Southeast Asia. State Department veteran James C. Thomson, after resigning in 1966 over the Vietnam War, wrote an important article blaming America's errors and failures in Southeast Asia on the purging of expertise in the McCarthy era,

along with Democratic Party remembrance of the "loss of China" charges.⁹⁵

Criticizing this state of affairs from the perspective of someone who had witnessed the SS purges in Nazi Germany, political science professor Hans Morgenthau in 1955 deplored the condition of a similar "dual state" in America, in which the "authorities charged by law" were subordinated to a hostile right-wing clique with "an effective veto over the decisions of the former."⁹⁶

Swedish professor Ola Tunander, expanding on Morgenthau's critique, called the second state a "deep state."⁹⁷ Following him in 2007 and 2008, I also defined the deep state somewhat restrictively, as an unrepresentative "restricted locus of top-down power," or as a parallel structure or "hard-edged coalition," consisting primarily of the covert agencies (like the CIA) that are "responsive...to the overworld, but with little or no other public constituency."⁹⁸

I now use the term "deep state" for the larger aggregation of extralegal powers inside and outside government that Hoover helped consolidate, including not just covert agencies like the FBI but also their media allies and other allied elements both in the wealthy overworld and the criminal underworld. In short my "deep state" is roughly the "deep political system" I defined in 1993 as "one which habitually resorts to decision-making and enforcement procedures

outside as well as inside those publicly sanctioned by law and society.”⁹⁹ Since 1963 this system has included at least some elements responsible for covering up the assassination of a president.

Hoover and the Emergence of America’s Controlled Governing Media

Hoover also played an important role in the 1950s conversion of America’s major media into a relatively consolidated Orwellian transmitter of official propaganda. It is not fashionable to speak of the so-called mainstream media (MSM) this way. The media themselves like to point to apparent exceptions, such as the role of journalism in leading to America’s disenchantment with the Vietnam War, and above all in unseating a sitting president in the Watergate crisis.

Yet these very examples prove, on closer examination, to have been no exceptions at all. The full story of Watergate is far from understood; yet it is conceded now that a major source for the stories that in 1974 brought down Nixon was Mark Felt, then the Associate Director and highest permanent agent in the FBI.¹⁰⁰ In other words Felt was merely perpetuating a practice of controlled leaks that had been practiced for years by Hoover. The media turn against the Vietnam War occurred chiefly in 1968, when many in the USG, including the “Wise men” under Clark Clifford whom LBJ

appointed to advise him, had decided that the search for a victory in Vietnam was no longer in America’s strategic or financial best interests.¹⁰¹

The Orwellian silencing of the American media is best illustrated by comparing them with the British. In theory America is constitutionally committed to a free press, whereas the British press is guided by a system of Defence Advisory Notices, disregard of which can lead to prosecution under the UK Official Secrets Act.^[102] But in practice it has become notorious that scandals involving both countries are regularly broken in the United Kingdom, with the American media following belatedly if at all.

Take for example, the so-called “Manning memorandum” on a top secret meeting about Iraq of January 2003 in the Oval Office between George W. Bush and Tony Blair. The memo, still largely unknown in the U.S., was finally reported by the *New York Times* on March 27, 2006:

The memo also shows that the president and the prime minister acknowledged that no unconventional weapons had been found inside Iraq. Faced with the possibility of not finding any before the planned invasion, Mr. Bush talked about several ways to provoke a confrontation, including a proposal to paint a United States surveillance plane in the colors of

the United Nations in hopes of drawing fire, or assassinating Mr. Hussein.¹⁰³

This was almost two months after the news-making memo had been first reported in three British newspapers, along with Channel Four TV.¹⁰⁴ For years afterwards the memo story continued to make headlines in the British, Australian, and New Zealand newspapers, but from a review of Lexis-Nexis I can find no other reports of it in the major newspapers of the United States or Canada.¹⁰⁵

I should add that the Orwellian behavior of the U.S. governing has included not only suppression of the truth, but the propagation of lies. In the 1950s, when CIA operations in Southeast Asia were partly financed by proceeds from the KMT-controlled drug traffic, the U.S. routinely parroted the false claims of Harry Anslinger, chief of the federal Bureau of Narcotics (FBN), that KMT drugs reaching America via Bangkok and Hong Kong were coming instead from Communist China.¹⁰⁶ (Anslinger “had established a working relationship with the CIA by the early 1950s.”)¹⁰⁷

In a major FBN bust in 1959, for example,

The arrests were delayed until after the ringleader, Chung Wing Fong, a former Hip Sing president and

official of the San Francisco Anti-Communist League (a KMT front) had been ordered by the US consulate in Hong Kong to travel to Taiwan. In this way Fong became no more than an unindicted conspirator, and the KMT disappeared from view; [George] White then told the US press that the heroin had come from Communist China (“most of it from a vast poppy field near Chungking”).¹⁰⁸

(FBN official George White was simultaneously a CIA operative.)

The FBN propaganda line on Asian opium, which effectively protected the pro-KMT societies distributing it in America, went essentially unchallenged in the US press until the 1970s, when Nixon began revising U.S. policy towards China. In the 1980s the press would similarly unite to transmit government lies protecting the major cocaine traffickers and distributors who were simultaneously supporting Reagan’s Contra army in Nicaragua.¹⁰⁹ And in the 1990s when Pulitzer prize-winning journalist Gary Webb showed how major cocaine dealers supporting the Contras were allowed to traffic with impunity, the major media united to destroy his career, in what Alexander Cockburn called “one of the

most venomous and factually inane assaults...in living memory."¹¹⁰

It would of course be foolish to blame Hoover, rather than the CIA, for this particular propaganda line. We now know quite a lot about the CIA's Operation Mockingbird: its extensive program, or "mighty Wurlitzer," to influence American media beginning in the 1950s.¹¹¹ But the CIA's manipulations of the press built upon a governing media that had already been conditioned by Hoover to serve the alleged needs of national security.

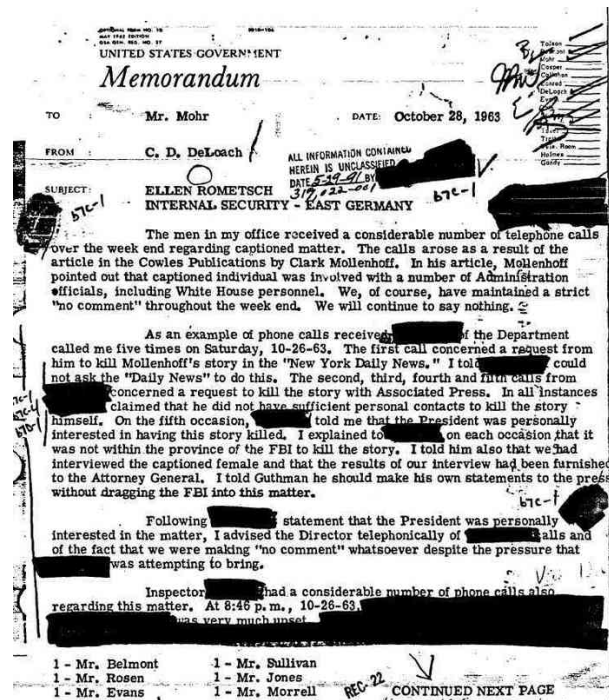
A key event in this conditioning was the extended media drama of the Alger Hiss case and the Pumpkin Papers, in which the on-stage performance of young Richard Nixon was backstopped by Hoover.¹¹²

The evidence suggests that Hoover's careful cultivation of the media, together with the information he had gathered on journalists and above all Congressmen, made him, more than any other individual, responsible for the manipulability of the U.S. media. This is well illustrated by Hoover's ability, in the summer of 1963, to first leak details of John F. Kennedy's sex life, and then gain influence over the Kennedy White House by intervening to see that his own leak was squelched.

In the same summer of 1963 the British press was obsessed with the Christine Keeler sex scandal, a complex story of a prostitution ring where one of

a call girl's johns had been Secretary of War John Profumo, and another a suspected Soviet spy. The scandal led inexorably to the resignation of Prime Minister Harold Macmillan in October 1963.

Hoover became aware in July 1963 of a potential parallel scandal in America: that JFK had had sex with Ellen Rometsch, the wife of an East German army sergeant who was already being investigated by the FBI as a possible spy.¹¹³ This was at a particularly delicate moment in the president's relations with the FBI director.



Ellen Rometsch

On June 10, the president had spoken at American University, calling for a fresh approach to US-Soviet relations, and one day later he had gone on TV to call for a Civil Rights Act. Bobby

Kennedy was under increasing pressure from Hoover to authorize the wiretapping of Martin Luther King. And on July 2 a Virginia newspaper had written in an editorial (which soon reached FBI files) that “Bobby and his big brother want to retire J. Edgar Hoover as FBI director and bring in a young man who will eagerly turn the respected agency into an enforcement arm [for] the civil rights legislative package.”¹¹⁴

All of these potential changes were of concern to Hoover, and none more than the last. He had his proven ways of responding. According to Anthony Summers, “As the Kennedys wrestled with the mounting civil rights crisis, Edgar quietly opened a new file code-named ‘Bowtie.’” Dealing with the Keeler scandal in Britain, the file contained reports that JFK had had sex with two members of the Keeler sex ring, Suzy Chang and Maria Novotny, who were considered possible security risks. The file, now partly viewable on line, shows that on June 19 “Mr. DeLoach [Hoover’s assistant director for press relations] has talked to the [New York] Journal American regarding [deleted].”¹¹⁵ Four days later, on June 23, Dorothy Kilgallen published an article in the *Journal-American* “One of the biggest names in American politics - a man who holds a very high elective office - has been injected into Britain’s vice-security scandal.”¹¹⁶ Bobby Kennedy squelched that story, allegedly by threatening the paper’s owner with an anti-trust lawsuit.

But the pressures continued. On October 26, a

story by Clark Mollenhoff reported that Rometsch had been expelled from the country, after “attending parties with congressional leaders and some prominent New Frontiersmen from the executive branch of government.”

Clark Mollenhoff ...was one of Edgar’s “friendly” reporters. His article added that Senator John Williams...“had obtained an account” of Rometsch’s activity. It would later emerge that the Senator had come into possession of documents from the FBI, a leak that only Edgar could have approved.¹¹⁷

The article added that Williams intended to present his information to the Senate body already investigating the host of the Rometsch parties, former Senate aide Bobby Baker.

Now the Kennedy brothers were facing a crisis not just in the press but in Congress. Bobby dealt with it by going as a supplicant to Hoover, the man who (in the words of Taylor Branch), “more than any other person, had the power to determine whether the Rometsch affair stayed as quiet as [Inga] Arvad [an early JFK mistress, who allegedly had also slept with Adolf Hitler] or became as noisy as the Profumo scandal in England.”^[118] Burton Hersh agrees: “Only he, Hoover, could be depended on to have the clout... to expunge the whole matter from the

Rules Committee's agenda."¹¹⁹ Hoover dealt with the crisis by a secret meeting with the two party leaders in the Senate, Mansfield and Dirksen.

The Bobby Baker inquiry continued without reference to Rometsch, and the U.S. media produced no sensational sex scandal like England's. As Michael Beschloss reports,

As a result of Hoover's meeting with the two Senators...Rometsch's relationship with the President remained a national secret. FBI agents stormed the office of a congressional photographer, confiscating prints and negatives of the German woman. The President and his brother acquired one more unwanted debt to Hoover.¹²⁰

But the relationship of the Kennedys to Hoover was now far more subordinate than before. Bobby promptly issued four wiretaps on Martin Luther King that Hoover had long wanted. And by reporting to Bobby about "a rumor circulating on the Hill that I was being replaced...predicated upon the fact that I had not issued a statement adjudicating the Bobby Baker affair," Hoover prompted Bobby to dismiss the rumors as "unfounded and vicious."¹²¹

The whole episode illustrated dramatically how the U.S. press was not just the CIA's Wurlitzer,

but Hoover's as well – on the very eve of the Kennedy assassination and its aftermath, reinforcing two levels of history, one level researched only by "conspiracy theorists."

On another level, it illustrates the importance of the organized sex business and organized crime in reinforcing the influence of deep powers over public politicians, not just in the case of the Kennedys, but also in the Koreagate sex scandal of 1976, and allegedly in Watergate as well.¹²²

Find the second half of this essay here
(http://apjff.org/-Peter_Dale-Scott/3933)

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Recommended citation: Peter Dale Scott, "America's Unchecked Security State: Part I: The Toxic Legacy of J. Edgar Hoover's Illegal Powers," *The Asia-Pacific Journal*, Volume 11, Issue 17, No. 2, April 29, 2013.

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Tim Shorrock

(<http://apjff.org/-Tim-Shorrock/3561>), Reading the Egyptian Revolution Through the Lens of US Policy in South Korea Circa 1980: Revelations in US Declassified Documents

Notes

¹ As reported by FBI Special Agent Arthur Murtagh, in Gentry, J. *Edgar Hoover* 376; citing Pike Report, Pt 3, 1968.

² April 1887 letter to the Anglican Bishop of London, Mandell Creighton; in John Emerich Edward Dalberg-Acton, *Essays on Freedom and Power* (Boston: Beacon Press, 1949), 364.

³ Brian Fitzgerald, *McCarthyism: The Red Scare* (Minneapolis, Minn.: Compass Point Books, 2007), 16.

⁴ Peter Dale Scott, "The Doomsday Project, Deep Events, and the Shrinking of American Democracy,"

Japan Focus, January 24, 2011, link (http://apjff.org/-Peter_Dale-Scott/3476).

⁵ Patrick A. Thronson, "Toward Comprehensive Reform of America's Emergency Law Regime," *University of Michigan Journal of Law Reform* 46, No. 2, Winter 2013, 737.

⁶ See "How the Anti-Terrorism Bill Allows for Detention of People Engaging in Innocent Associational Activity," ACLU, October 23, 2001,

link.

(<http://www.aclu.org/national-security/how-anti-terrorism-bill-allows-detention-people-engaging-innocent-associational-ac>)

⁷ Len Colodny and Tom Schachtman, *The Forty Years War: The Rise and Fall of the Neocons, from Nixon to Obama* (New York: HarperCollins, 2009), 390. As we shall see below, Mitchell blocked implementation of the Huston Plan at the urging of Hoover, who was opposed to such cooperation between the FBI and CIA.

⁸ Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Report, Book II - Intelligence Activities and the Rights of Americans* (Henceforth Church Committee, Book II), 91. For whatever reason, The Church Committee Report is silent about the detention provisions of the Huston Plan (*loc. cit.*, 112-15).

⁹ Benjamin O. Fordham, *Building the Cold War consensus: the political economy of U.S. national security policy, 1949-51* (Ann Arbor: University of Michigan Press, 1998), 153: "Title II of the act authorized the arrest and detention of suspected subversives in the event of an 'internal security emergency.'"

¹⁰ See e.g. Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan* (Philadelphia: Temple University Press, 1978), 99-100; Paul D. Borman, "The Selling of Preventive Detention 1970," *Northwest Law*

Review 65 (January-February 1971), 879-931.

¹¹ Athan Theoharis, ed., *The FBI: A Comprehensive Guide* (Phoenix: Oryx Press, 1999), 158. We shall see below (at footnote 131) that Hoover had never been constrained by the procedures of the Internal Security Act when it was passed.

¹² As we shall see below (at footnote 127) the new Administrative Index (ADEX). was in turn discontinued in 1978. But the list was again not destroyed, and remained available for use by a committee of Continuity of Government (COG) planners (including Rumsfeld and Cheney) in the new Reagan Administration. It has been in active use since 9/11.

¹³ In three magisterial books (*Blowback, Nemesis, and Dismantling the Empire*) Chalmers Johnson documented how America's imperial overstretch abroad has become a threat to the republic itself. This essay looks at a parallel threat to the republic that has arisen from within.

¹⁴ See Mark Perry, *Eclipse: The Last Days of the CIA* (New York: William Morrow, 1992), 47-49, 319-320; Gregory F. Treverton, *Covert Action: The Limits of Intervention in the Postwar World* (New York: Basic Books, 1987); David Aaron, *Los Angeles Times*, October 18, 1987, http://articles.latimes.com/1987-10-18/books/bk-15321_1_covert-action: "CIA Director William Casey, angry at his experts on terrorism for coming up with little evidence linking the Soviet Union to terror groups, ordered them to read

Claire Sterling's famous book "The Terror Network." They did and found that virtually all of the examples she cited turned out to be CIA disinformation--false stories planted in the foreign press that she unwittingly used in good faith."

¹⁵ April 1887 letter to the Anglican Bishop of London, Mandell Creighton; in John Emerich Edward Dalberg-Acton, *Essays on Freedom and Power* (Boston: Beacon Press, 1949), 364.

¹⁶ McCarthy's "certain manic brilliance" was noted at the time by commentator Eric Sevareid (Conrad Black, *Richard Milhous Nixon: the invincible quest* [London: Quercus, 2007], 310). Cf. Eli Sagan, *Citizens and Cannibals, the French Revolution, the struggle for modernity, and the origins of ideological terror* (Annapolis, MD: Rowman & Littlefield), 328: "Richard Nixon...manifested many attributes that can accurately be called 'paranoid.' But when the Watergate crisis came to its frightful climax, many sensitive, thoughtful people in Washington were fearful that the president would go over the line and move on from paranoid behavior to paranoia itself. In the last days before Nixon resigned, Secretary of Defense James Schlesinger apparently informed all U.S. commanders that any orders from the White House concerning troops or weapons had to be approved by him, before being executed."

¹⁷ For Angleton as "the CIA's manic molehunter," see Lori Lyn Bogle (ed.) *The Cold War* (New York:

Routledge, 2001), 64. For North's "nearly *manic* devotion to duty" see Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the American West* (New York : Oxford University, 1992), 153. Cf. Paul Berman, *Power and the Idealists* (Brooklyn, NY: Soft Skull Press), 135: "Rumsfeld ... in the judgment of his non-admirers...gave off a manic and scary vibe."

¹⁸ Likewise Rumsfeld's and Cheney's fellow Vulcan, Paul Wolfowitz, after leaving the Pentagon, was forced out of his position as president of the World Bank because of similar hubristic excesses, such as granting his mistress salary raises far in excess of those allowable under Bank rules. Both Rumsfeld and Wolfowitz were ousted after successful revolts by their own subordinates. For Rumsfeld's downfall after "the revolt of the generals" against his "reign of terror," see Andrew Cockburn, *Rumsfeld: His Rise, Fall, and Catastrophic Legacy* (New York: Scribner, 2007), especially 210-23.

¹⁹ Peter Dale Scott. "Northwards without North: Bush, Counterterrorism, and the Continuation of Secret Power," *Social Justice* Summer 1989; reprinted as "North, Iran-Contra, and the Doomsday Project: The Original Congressional Cover Up of Continuity-of-Government Planning," *Asia-Pacific Journal: Japan Focus*, February 21, 2011, link (http://apjff.org/-Peter_Dale-Scott/3491). I offer the notion of personal power auto-intoxication as a more personalized and more sympathetic

interpretation of the phenomenon increasingly described by some criminologists as “state criminality.” See e.g. G. Barak, “Crime, criminology and human rights: Towards an understanding of state criminality,” *Journal of Human Justice* 1990; Lance deHaven-Smith “Beyond Conspiracy Theory: Patterns of High Crime in American Government,” *American Behavioral Scientist* (February, 2010), 795-825. Some of my critique of “state crimes” analysis can be found in “Systemic Destabilization in Recent American History: 9/11, the JFK Assassination, and the Oklahoma City Bombing as a Strategy of Tension,” *The Asia-Pacific Journal: Japan Focus*, September 23, 2012, http://japanfocus.org/-Peter_Dale-Scott/3835.

²⁰ Our economy’s recent recurrent flux between exaggerated bubble (moving in Alan Greenspan’s terms from “irrational exuberance” to “infectious greed”) and then recession, has been compared by a psychologist to “the cycle of manic depression” (Peter C. Whybrow, *American Mania: When More is Not Enough* [New York: W.W. Norton, 2005], 127).

²¹ Scott, “The Doomsday Project, Deep Events, and the Shrinking of American Democracy,” *Japan Focus*, January 24, 2011, link (http://apjif.org/-Peter_Dale-Scott/3476).

²² Tim Weiner, “The Pentagon’s Secret Stash,” *Mother Jones Magazine* Mar-Apr 1992, 26.

²³ Peter Dale Scott, *The Road to 9/11: Wealth, Empire, and the Future of America* (Berkeley, CA: University of California Press, 2007), 185-87; citing Executive order 12656 of 18 November 1988.

²⁴ Andrew Cockburn, *Rumsfeld: His Rise, Fall, and Catastrophic Legacy* (New York: Scribner, 2007), 88; quoted in Scott, *Road to 9/11* 87.

²⁵ CNN, November 17, 1991, quoted in Shirley Anne Warshaw, *The Co-presidency of Bush and Cheney* [Stanford, Calif.: Stanford Politics and Policy, 2009], 162.

²⁶ The xenophobia of the 18th century was of course perpetuated in the nativist movements such as the Know-Nothings in the 19th Century and the anti-Bilderberg right today; see David Harry. Bennett, *The Party of Fear: From Nativist Movements to the New Right in American History* (New York: Vintage, 1990). Some historians, notably Richard Hofstadter, have analyzed McCarthyism itself as a replication of 19th century nativist populism (Richard Hofstadter, “The Paranoid Style in American Politics” (*Harper’s Magazine*, November 1964), 77-86, link (http://karws.gso.uri.edu/jfk/conspiracy_theory/the_paranoid_mentality/the_paranoid_style.html)). But to understand McCarthyism, both then and now, this paper will focus on the extent to which McCarthy’s fear tactics were both inspired and guided from above, and principally by Hoover.

- ²⁷ John Ferling, *Adams vs. Jefferson: The Tumultuous Election of 1800* (New York: Oxford University Press, 2004).
- ²⁸ Described below in this essay. Cf. Lou Dubose and Jake Bernstein, *Vice: Dick Cheney and the Hijacking of the American Presidency* (New York: Random House, 2006), 32-40; Sidney Blumenthal, "The long march of Dick Cheney," Salon, November 24, 2005; Scott, *The Road to 9/11* 51-54.
- ²⁹ Jon Meacham, *Thomas Jefferson: The Art of Power* (New York: Random House, 2012), 314; citing *The Papers of Thomas Jefferson*, ed. Julian Boyd (Princeton, NJ: Princeton UP, 1950), XXX. 348.
- ³⁰ Department of Homeland Security, Immigration and Customs Enforcement, *ENDGAME: Office of Detention and Removal Strategic Plan, 2003-2012*, 11; link (<http://www.cryptogon.com/docs/endgame.pdf>); cf. Peter Dale Scott, *The Road to 9/11: Wealth, Empire, and the Future of America* (Berkeley: University of California Press, 2007), 240. This document was removed from the DHS website after I and others reported on it, but is readable on line in its original form.
- ³¹ The massive internment and relocation of Japanese-Americans was a program initiated by the U.S. Army, not Hoover. On the other hand Hoover, at FDR's direction, began covert surveillance of Axis nationals in Latin-American countries. More than four thousand ethnic German civilians were ultimately deported to the United States where most were interned in detention camps. See Heidi Donald, *We Were Not the Enemy: Remembering the United States' Latin-American Civilian Internment Program of World War II* (Bloomington, IN: iUniverse, 2007).
- ³² Glenn Greenwald, "Three key lessons from the Obama administration's drone lies," *Guardian* (London), April 11, 2013, here (<http://www.guardian.co.uk/commentisfree/2013/apr/11/three-lessons-obama-drone-lies>). Cf. Micah Zenko, "An Inconvenient Truth: Finally, proof that the United States has lied in the drone wars," *Foreign Policy* April 11, 2013, http://www.foreignpolicy.com/articles/2013/04/10/an_inconvenient_truth_drones#.UWXow7ir6Xk.twitter.
- ³³ William Binney, quoted in Jane Mayer, "The Secret Sharer: Is Thomas Drake an enemy of the state?" *New Yorker* May 23, 2011, http://www.newyorker.com/reporting/2011/05/23/110523fa_fact_mayer?currentPage=all.
- ³⁴ "Even as some senior former American security officials question whether the strikes are beginning to do more harm than good, 65 percent of Americans questioned in a Gallup poll last month approved of strikes to kill suspected foreign terrorists; only 28 percent were opposed" (Shane, "Targeted Killing Comes to Define War on Terror," *New York Times* April 8, 2013, 3). As in the McCarthy era, public xenophobia is trumping common sense. See Martha Stout, *The Paranoia*

Switch: How Terror Rewires Our Brains and Reshapes Our Behavior--and How We Can Reclaim Our Courage (New York: Farrar, Straus and Giroux, 2007), described as “a groundbreaking clinical, neuropsychological, and practical examination of what terror and fear politics have done to our minds, and to the very biology of our brains.”

³⁵ See e.g. Tom Engelhardt, “The Enemy-Industrial Complex,” TomDispatch, April 15, 2013,

http://www.tomdispatch.com/post/175687/to_mgram%3A_engelhardt%2C_the_cathedral_of_the_enemy/:

“All these years, we’ve been launching wars and pursuing a “global war on terror.” We’ve poured money into national security as if there were no tomorrow. From our police to our borders, we’ve up-armored everywhere. We constantly hear about “threats” to us and to the “homeland.” And yet, when you knock on the door marked “Enemy,” there’s seldom anyone home.

Few in this country have found this striking. Few seem to notice any disjuncture between the enemy-ridden, threatening, and deeply dangerous world we have been preparing ourselves for (and fighting in) this last decade-plus and the world as it actually is, even those who lived through significant parts of the last anxiety-producing, bloody century.” Engelhardt accurately blames this psychotic condition on

neocons, who “they needed an American public anxious, frightened, and ready to pay.” But his trenchant essay ends of a note of gloom, even despair: “They may indeed be a crew of Machiavellis, but they are also acolytes in the cult of terror and global war. It’s their religion. They are, after all, the enemy-industrial complex and if we are in their grip, so are they. The comic strip character Pogo once famously declared: ‘We have met the enemy and he is us.’ How true. We just don’t know it yet.”

³⁶ Weiner, *Enemies* 443. A classified U.S. intelligence report of around 2006 concluded that Iraq had become a “cause célèbre for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement” (Mark Mazzetti, *The Way of the Knife: The CIA, a Secret Army, and a War at the Ends of the Earth* [New York: Penguin Press, 2013], 138).

³⁷ The counter-productivity is of course welcome to those who profit from the American war machine, as well as to those multinational corporations who welcome an American military presence around the globe. See Peter Dale Scott, “Why Americans Must End America’s Self-Generating Wars,” (http://apjif.org/-Peter_Dale-Scott/3819) Asia-Pacific Journal: Japan Focus, August 26, 2012, http://japanfocus.org/-Peter_Dale-Scott/3819.

³⁸ FBI manual quoted in Weiner, *Enemies*, 447-48.

³⁹ David K. Shipler, "Terrorist Plots, Hatched by the F.B.I." *New York Times*

April 28, 2012, link (http://www.nytimes.com/2012/04/29/opinion/sunday/terrorist-plots-helped-along-by-the-fbi.html?pagewanted=all&_r=0). Cf. Trevor Aaronson, *The Terror Factory: Inside the FBI's Manufactured War on Terrorism* (Brooklyn, NY: Ig Publishing, 2013). Cf. Rick Perlstein, "How FBI Entrapment Is Inventing 'Terrorists' - and Letting Bad Guys Off the Hook," *Rolling Stone* May 15, 2012, <http://www.rollingstone.com/politics/blogs/national-affairs/how-fbi-entrapment-is-inventing-terrorists-and-letting-bad-guys-off-the-hook-20120515>.

⁴⁰ Robert W. Worth, Mark Mazzetti and Scott Shane, "Drone Strikes' Risks to Get Rare Moment in the Public Eye," *New York Times* February 5, 2013, link (http://www.nytimes.com/2013/02/06/world/middleeast/with-brennan-pick-a-light-on-drone-strikes-hazards.html?pagewanted=all&_r=0). On CIA and JSOC killer squads in general, see Mazzetti, *The Way of the Knife*

⁴¹ Jonathan Turley, "The NDAA's historic assault on American liberty," *Guardian* (London), January 2, 2012: "The almost complete failure of the mainstream media to cover this issue is shocking.... On the NDAA, reporters continue to mouth the claim that this law only codifies what

is already the law. That is not true. The administration has fought any challenges to indefinite detention to prevent a true court review. Moreover, most experts agree that such indefinite detention of citizens violates the constitution."

⁴² Dana Priest and William Arkin, *Top Secret America: The Rise of the New American Security State* (New York: Little Brown, 2011), 52.

⁴³ Peter Dale Scott, *Deep Politics and the Death of JFK*, 310-11; cf. David Alan Scherer, *The Dawn of Hooverism: J. Edgar Hoover His Impact and Legacy Upon McCarthyism* (dissertation, Simmons College, Boston, 2011).

⁴⁴ This is a welcome corrective to the efforts of Richard Hofstadter, David Caute, and others to depict McCarthyism as an example of populist paranoia. See above, footnote 18.

⁴⁵ Ellen Schrecker, *Many are the Crimes: McCarthyism in America* (Boston: Little Brown, 1998), 203.

⁴⁶ Schrecker, *Many are the Crimes* 215-16; cf. Burton Hersch, *Bobby and J. Edgar: The Historic Face-Off Between the Kennedys and J. Edgar Hoover that Transformed America* (New York: Basic Books, 2008), 139.

⁴⁷ Anne Applebaum, in an important recent book, has reminded us how brutal and alarming was Stalin's repression in Eastern Europe (Anne

Applebaum, *Iron Curtain: The Crushing of Eastern Europe, 1944-1956* (New York: Doubleday, 2012).

⁴⁸ This does not mean that Hoover was politically neutral or objective. His long-time preference for and aid to pro-FBI right-wing politicians like Ronald Reagan is well documented by Seth Rosenfeld (*Subversives: The FBI's War on Student Radicals, and Reagan's Rise to Power* (New York: Macmillan, 2012)). But unlike the Doomsday planners he worked within the political system (with all of its corrupt and even criminal elements), not to supplant it by a shadow government. I'd be surprised if this distinction held up well.

⁴⁹ Anthony Summers, *Official and Confidential: The Secret Life of J. Edgar Hoover* (New York: G.P. Putnam's Sons, 1993), 353.

⁵⁰ Peter Lance, *Triple Cross: How bin Laden's Master Spy Penetrated the CIA, the Green Berets, and the FBI -- and Why Patrick Fitzgerald Failed to Stop Him* (New York: Regan/ HarperCollins, 2006), 123-25. Cf. *Toronto Globe and Mail*, November 22, 2001; Weiner, *Enemies*, 397.

⁵¹ Ali H. Soufan, *The Black Banners: The Inside Story of 9/11 and the War Against al-Qaeda* (New York: Norton, 2011), 75-77.

⁵² J.M. Berger, "Paving the Road to 9/11," Intelwire, link (<http://intelwire.egoplex.com/unlocking911-1-al-i-mohamed-911.html>): "Ali Mohamed was the

utility player who created al Qaeda's terrorist infrastructure in the United States -- a series of connections, ideas, techniques and specific tools used by the [9/11] plot's hijackers and masterminds.... Mohamed described teaching al Qaeda terrorists how to smuggle box cutters onto airplanes."

⁵³ Lance, *Triple Cross* 123-24.

⁵⁴ Soufan, *The Black Banners*, 561.

⁵⁵ "D.E.A. Deployed Mumbai Plotter Despite Warning," *New York Times* November 8, 2009; cf. Scott, *American War Machine* 246-47. Cf. *The Globe and Mail* (Canada), May 26, 2011: "FBI thought Mumbai massacre plotter worked for them, court told." Another much simpler domestic example of this puzzle is Richard Aoki, the FBI informant who in the 1960s supplied the Black Panthers in

Oakland with arms (Seth Rosenfeld, *Subversives: The FBI's War on Student Radicals, and Reagan's Rise to Power* [New York: Macmillan, 2012], 418-24, etc.).

⁵⁶ Peter Dale Scott, *The Road to 9/11: Wealth, Empire, and the Future of America* (Berkeley: University of California Press, 2007), 151-60. For a summary, see Peter Dale Scott, "Bosnia, Kosovo, and Now Libya: The Human Costs of Washington's On-Going Collusion with Terrorists," *Asian-Pacific Journal: Japan Focus*, July 29, 2011, http://japanfocus.org/-Peter_Dale-Scott/3578.

⁵⁷ Cf. *Washington Post* June 1, 2012: “Soufan’s case was unusual because he never worked for the CIA. The PRB’s [Publications Review Board’s] authority [i.e. legal authority] is grounded in the secrecy agreements signed by agency employees that require them to submit any material prepared for public disclosure ‘either during my employment . . . or at anytime thereafter.’” In other words, the CIA’s PRB had no legal right to censor Soufan’s book, but did so anyway – an example of the blurring of past bureaucratic distinctions in today’s shadow state.

⁵⁸ E.g., Sebastian Rotella, “Key witness ties Pakistan’s spy agency to terror group,” *Washington Post* May 24, 2011: “In his opening statement, Rana’s attorney argued that Headley had manipulated Rana just as he had manipulated multiple wives, extremist groups and government agencies. Charles Swift also raised the possibility that Headley may have continued working for the U.S. government well after he started training with Lashkar.” This is the closest Rotella came to mentioning the role of the DEA in releasing Headley at all. One day earlier, in the London *Guardian* of May 23, the same Sebastian Rotella wrote much more directly that “Headley is a former informant for the US Drug Enforcement Administration (DEA).” Cf. Sebastian Rotella, “Feds Confirm Mumbai Plotter Trained With Terrorists While Working for DEA,” *ProPublica*, Oct. 16, 2010, link (<http://www.propublica.org/article/feds-confir>

m-mumbai-plotter-trained-with-terrorists-while-working-for-dea): “Federal officials acknowledged Saturday that David Coleman Headley, the U.S. businessman who confessed to being a terrorist scout in the 2008 Mumbai attacks, was working as a DEA informant while he was training with terrorists in Pakistan.”

⁵⁹ E.g. *TorontoGlobe and Mail* May 26, 2011: “FBI thought Mumbai massacre plotter worked for them, court told.”

⁶⁰ Daniel Coleman, Affidavit, Sealed Complaint, United States of America v Ali Abdelseoud Mohamed, U.S. District Court, Southern District of New York, September 1998 (obtained by INTELWIRE.com), p.7, link-facebook (<http://www.facebook.com/l.php?u=http%3A%2F%2Fintelfiles.egoplex.com%2Fali-mohamed-coleman-affidavit.pdf&h=UAQFrJ-ys>).

⁶¹ Burton Hersh, *Bobby and J. Edgar: The Historic Face-Off Between the Kennedys and J. Edgar Hoover that Transformed America* (New York: Basic Books, 2008), 67. The term is aptly borrowed from Irish history.

⁶² Hans H. Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology* (New York: Routledge, 1991), 78.

⁶³ Peter Dale Scott, *Deep Politics and the Death of JFK* (Berkeley and Los Angeles: University of California Press, 1998), 204-06.

⁶⁴ Warren Report, 801.

⁶⁵ Scott, *Deep Politics and the Death of JFK* 31-33 (narcotics), 204-06 (gambling), 163 (Yaras).

⁶⁶ Scott, *Deep Politics and the Death of JFK* 202-04; citing U.S. Congress, Senate, *Organized Crime and Illicit Traffic in Narcotics, Hearing* (1964), 997; Seth Kantor, *Who Was Jack Ruby?* (New York: Everest House, 1978), 12.

⁶⁷ Scott, *Deep Politics and the Death of JFK* 204; citing *World Petroleum* February 1964.

⁶⁸ For the 9/11 Commission Report and Marginalization, see Peter Dale Scott, "9/11 as a Deep Event: How CIA Personnel Helped Allow It To Happen," in James R Gourley, ed., *The 9/11 Toronto Report: International Hearings on the Events of September 11, 2001* (Seattle, WA: CreateSpace Independent Publishing Platform, 2012), 109-28; Kevin Fenton. *Disconnecting the Dots: How 9/11 Was Allowed to Happen* (Eugene, OR: Trine Day, 2011).

⁶⁹ Peter Finn and Joby Warrick, "Detainee's Harsh Treatment Foiled No Plots," *Washington Post* March 29, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/28/AR2009032802066.html>.

⁷⁰ "Zayn al Abidin Muhammad Husayn v. Robert Gates, Respondents Memorandum of Points and Authorities in Opposition to Petitioner's Motion for Discover and Petitioner's Motion for

Sanctions. Civil Action No. 08-cv-1360 (RWR), September 2009.;" quoted by Kevin Ryan, "Abu Zubaydah Poses a Real Threat to Al Qaeda,"

WashingtonsBlog, October 25, 2012, check it (<http://www.washingtonsblog.com/2012/10/abu-zubaydah-poses-a-real-threat-to-al-qaeda.html>).

⁷¹ In 2010 the State Department appointed Todd Leventhal "Chief of the Counter-Misinformation Team, U.S. Department of State" (link (<http://2002-2009-fpc.state.gov/44434.htm>)) and "launched an official bid to shoot down conspiracy theories....The "Conspiracy Theories and Misinformation" page... insists that Lee Harvey Oswald killed John F Kennedy alone, and that the Pentagon was not hit by a cruise missile on 9/11" *Daily Record* [Scotland], August 2, 2010. When last consulted in 2012 the claim that Oswald "acted alone" remained, but the supporting page had been suspended (cf. link (http://www.america.gov/conspiracy_theories.html)). The site now links to essays by private authors, beginning with John Ray, described as "a sophomore decision science major at Carnegie-Mellon University."

⁷² Scott, *Deep Politics* 45 (with supporting details).

⁷³ CIA Dispatch of April 1, 1967, NARA # 104-10138-10379: reproduced at <http://www.namebase.org/foia/jfk01.html>.

⁷⁴ Weiner, *Enemies* 24-25, 29, 31.

⁷⁵ Weiner, *Enemies* 15-16.

⁷⁶ Weiner, *Enemies* 28.

⁷⁷ Gentry, *J. Edgar Hoover* 127.

⁷⁸ Gentry, *J. Edgar Hoover* 244-45.

⁷⁹ Gentry, *J. Edgar Hoover* 207. However Hoover had already begun to violate Stone's edict by 1933, when he began to collect "derogatory information" on Alfred Einstein (Fred Jerome, *The Einstein file: J. Edgar Hoover's secret war against the world's most famous scientist* [New York: St. Martin's Press, 2002], jacket; link (<http://www.theeinsteinfile.com/>)) and 1934, when on FDR's urging he ordered what he termed a "so-called intelligence investigation" of pro-Nazi elements, primarily the German-American Bund (Gentry, *J. Edgar Hoover* 205).

⁸⁰ Gentry, *J. Edgar Hoover* 204. Cf. Jules Archer, *The Plot to Seize the White House: The Shocking True Story of the Conspiracy to Overthrow FDR* (New York: Skyhorse Publishing, 2007); Sally Denton, *The Plots Against the President: FDR, A Nation in Crisis, and the Rise of the American Right* (New York: Bloomsbury Press, 2012), 200-01.

⁸¹ Gentry, *J. Edgar Hoover* 205.

⁸² Hersh, *Bobby and J. Edgar Hoover* 51; Gentry, *J. Edgar Hoover* 206-08; Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Report, Book II - Intelligence Activities and the Rights of Americans* (henceforth

Church Committee, Book II), 30.

⁸³ Hoover first named the revived Division Five of the FBI as the Security Division, then the Domestic Intelligence Division, and then the Intelligence Division.

⁸⁴ Marc Aronson, *Master of Deceit: J. Edgar Hoover and America in the Age of Lies*

(Somerville, MA: Candlewick, 2012), 85.

Aronson erroneously attributes FDR's authorization to the first Butler contact with Hoover, instead of the second.

⁸⁵ "Intelligence Division operations were cloaked in secrecy; were less accountable to public scrutiny...and spilled over into unethical or illegal conduct. Coexisting with the professional culture of the criminal division was a 'counterculture' that developed in the hidden side of the Bureau's intelligence operations" (Theoharis, ed., *The FBI: A Comprehensive Guide*, 183).

⁸⁶ Sheldon Marcus, *Father Coughlin: The Tumultuous Life Of The Priest Of The Little Flower* (Boston: Little, Brown, 1972), 216ZZ.

⁸⁷ A.S. Richard Sipe, *The Serpent and the Dove: Celibacy in Literature and Life* (Westport, CT: Praeger, 2007), 44-45.

⁸⁸ Weiner, *Enemies* 144; Gentry, *J. Edgar Hoover* 350n. Cf. Kai Bird, *The Chairman* 281.

⁸⁹ Anthony Summers with Robbyn Swan, *The Pat McCarran, and J. Edgar Hoover Nevada Arrogance of Power: The Secret World of Richard* *Historical Society Quarterly* 37 [1994].

Nixon (New York: Viking, 2000), 64-65; Gentry, J. *Edgar Hoover* 378-80.

⁹⁰ For Hoover's role in shaping Reagan's political career, see Rosenfeld, *Subversives*

⁹¹ Hersh, *Bobby and J. Edgar* 15.

⁹² Robert A. Caro, *The Years of Lyndon Johnson: The Passage of Power* (New York: Knopf, 2012), 291.

Burton Hersh believes the allegation that LBJ used information from Hoover to secure his position on the 1960 Democratic ticket (Hersh, *Bobby and J. Edgar* 15-16).

⁹³ Weiner, *Enemies* 179-80. McLeod's staff also consisted mostly of former FBI agents, using extralegal techniques such as "surveillances, mail openings, wiretaps, and break-ins" (Gentry, J. *Edgar Hoover* 408-09). McLeod's office was established during the Eisenhower administration by Presidential Executive Order 10450 of April 27, 1953.

⁹⁴ Gentry, *J. Edgar Hoover* 409.

⁹⁵ James C. Thomson, "How Could Vietnam Happen? An Autopsy," *Atlantic Monthly* April, 1968,

[link \(http://www.theatlantic.com/magazine/archive/1968/04/how-could-vietnam-happen-an-autopsy/306462/\)](http://www.theatlantic.com/magazine/archive/1968/04/how-could-vietnam-happen-an-autopsy/306462/). Cf. Christopher Gerard, "On the Road to Vietnam: The Loss of China Syndrome

⁹⁶ Hans Morgenthau, "The Corruption of Patriotism," *New Republic*, 1955; reprinted in

Hans Morgenthau (ed.) *Politics in the Twentieth Century*, I, 407. Cf. Eric Wilson (ed.) *The Dual State: Parapolitics, Carl Schmitt and the National Security Complex* (Farnham, England: Ashgate, 2012), 1-3, 21-27, etc.

⁹⁷ Ola Tunander, "Democratic State versus Deep State: Approaching the Dual State of the West," *Government of the Shadows: Parapolitics and Criminal Sovereignty*, ed. Eric Wilson and Tim Lindsey (London: Pluto Press, 2008), 56-72.

⁹⁸ Scott, *The Road to 9/11* 252, 258; Peter Dale Scott, *The War Conspiracy: JFK, 9/11, and the Deep Politics of War* (Ipswich, MA: Mary Ferrell Foundation, 2008), 15-16; Peter Dale Scott, *American War Machine: Deep Politics, the CIA Global Drug Connection, and the Road to Afghanistan* (Lanham, MD: Rowman & Littlefield, 2010), 21.

⁹⁹ Scott, *Deep Politics* xi-xii; discussion in Eric Wilson, "The Concept of the Parapolitical," in Wilson (ed.), *The Dual State* 1-27.

¹⁰⁰ David von Drehle, "FBI's No. 2 Was 'Deep Throat': Mark Felt Ends 30-Year Mystery of The Post's Watergate Source," *Washington Post* June 1, 2005, [link \(http://www.washingtonpost.com/politics/fbis-](http://www.washingtonpost.com/politics/fbis-)

no-2-was-deep-throat-mark-felt-ends-30-year-mystery-of-the-posts-watergate-source/2012/06/04/gJQAawseRIV_story.html);

Bob Woodward, *The Secret Man: The Story of Watergate's Deep Throat* (New York: Simon & Schuster, 2006).

¹⁰¹ John Acacia, *Clark Clifford: The Wise Man of Washington* (Lexington, KY: University Press of Kentucky, 2009); Peter Dale Scott, "The Vietnam War and the CIA-Financial Establishment," in Mark Selden (ed.), *Remaking Asia: Essays on the American Uses of Power* (New York: Pantheon, 1974), 107-26; Peter Dale Scott, *The War Conspiracy: JFK, 9/11, and the Deep Politics of War* (Ipswich, MA: Mary Ferrell Foundation, 2008), 185, reporting on *New York Times* editorial of January 6, 1968.

¹⁰² Michael Temple, *The British press* (Maidenhead, England: Open University Press, 2008), 123-24, 133; Tom Crone, *Law and the media: an everyday guide for professionals* (Oxford: Butterworth-Heinemann, 1991), 15.4.

¹⁰³ Don Van Natta, Jr., "Bush Was Set on Path to War, Memo by British Adviser Says," *New York Times*, March 27, 2006.

¹⁰⁴ "Bush 'plotted to lure Saddam into war with fake UN plane,'" *Independent* (London), February 3, 2006; "Bush and Blair 'plotted to provoke Saddam into war,'" *Daily Mail* (London), February 3, 2006; "Bush

wanted spy plane in UN colours to trick Saddam, claims book," *Herald* (Glasgow), February 3, 2006.

¹⁰⁵ E.g. "Iraq fallout: Confidential memo reveals US plan to provoke an invasion of Iraq," *Guardian* (London), June 21, 2009. In the interests of accuracy, I should note that the *Times* repeated the Van Natta story in its wholly owned subsidiary, *The International Herald Tribune*, March 28, 2006.

¹⁰⁶ Scott, *American War Machine*, 77, 84; cf. Donald J. Mabry (ed.), *The Latin American narcotics trade and U.S. national security* (New York: Greenwood Press, 1989.), 24; McCoy, *Politics of Heroin*, 124.

¹⁰⁷ William O. Walker III, *Opium and Foreign Policy* (Chapel Hill, NC: University of North Carolina Press, 1991), 206.

¹⁰⁸ Scott, *Deep Politics*, 167; citing *San Francisco Chronicle*, January 3, 1959, 4; *New York Times*, January 15, 1959, 4.

¹⁰⁹ Peter Dale Scott and Jonathan Marshall. *Cocaine Politics: Drugs, Armies and the CIA in Central America* (Berkeley and Los Angeles: University of California Press, 1998), 172-85. The press in this period did not just transmit government lies; it occasionally transmitted gross lies of its own. See *Cocaine Politics*, 179-81, a manufactured lie in the *Washington Post* of July 22, 1987, whose falsity I could confirm as an eyewitness.

