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## YOUR TAX DOLLARS AT WORK

CLAIRE A. CULLETON AND  
KAREN LEICK, EDITORS.

*Modernism on File: Writers, Artists,  
and the FBI, 1920-1950.*  
New York: Palgrave Macmillan, 2008.  
\$80

Reviewed by  
ROBERT SPOO

THE REGULATION OF authors and authorship is an important subfield within the study of law and literature, and students of literary regulation might do worse than choose the twentieth century as their "data set" (a term that legal scholars have borrowed from computer science and mathematics to describe the empirical evidence that nourishes their analyses). With characteristic pugnacity, Ezra Pound captured the density and perversity of legal coercion in the United States when he announced in a letter to *The Nation* in 1927:

For next President I want no man who is not lucidly and clearly and with no trace or shadow of ambiguity against the following abuses: (1) Bureaucratic encroachment on the individual, as the asinine Eighteenth Amendment [prohibiting the manufacture, sale, and transportation of intoxicating liquors], passport and visa stupidities, arbitrary injustice from customs officials; (2) Article 211 of the Penal Code [banning obscene materials from the mails], and all such muddle-headedness in any laws whatsoever; (3) the thieving copyright law.<sup>1</sup>

Passport regulations inhibited the physical movements of authors, while obscenity laws and copyright statutes controlled their intellectual travel. Just as an author could be bodily detained at customs (as Pound once was) while an official questioned him about his national allegiance and war record, so his writings could be seized at American docks or post offices, held as contraband under statutory authority, and subjected to civil forfeiture proceedings. If Joyce's *Ulysses* or Marie Stopes's *Married Love* ran afoul of the amorphous strictures of John S. Sumner—successor to Anthony Comstock as secretary of the New York Society for the Suppression of Vice—Sumner's zealous roundheads might suddenly appear at a bookstore and make off with a carload of offending volumes. (Like Carrie Nation, Sumner was "a bulldog, running along at the feet of Jesus, barking at what He doesn't like.")<sup>2</sup>

Similarly, American copyright law not only controlled the reproduction and dissemination of works, but deprived many foreign authors of intellectual-property protection within the United States, exposing their writings to legalized piracy and indirectly encouraging the furtive diffusion of "bookleg" copies of the very texts that a different set of laws banned from the mails and ports. When 162 world authors and intellectuals protested Samuel Roth's piracy of *Ulysses*, they were really objecting to the cluster of American legal rules that made Roth possible. Pound refused to sign the protest because he believed that Joyce should have more overtly directed his publicity machine against the law, not one of its wretched creatures.

The legal interferences that drew Pound's ire were at least identifiable. The Comstock Laws had a statute number, and the drab, lawyerly-looking Sumner (he had been admitted to the New York bar in 1904) pounced publicly, in person or by proxy. If you were a foreign-based author writing in English, you knew (as Joyce did at least as early as 1920) that you ran a substantial risk of failing to secure an American copyright if you first published your work abroad. Legal coercion of this sort had a face: a local habitation and a name.

Not so the coercions of which the contributors to *Modernism on File* write. The spooks at the FBI, straining at the leash of the arch-spook J. Edgar Hoover, worried writers much more subtly. The editors of this volume, Claire Culeton (author of a full-length treatment, *Joyce and the G-Men: J. Edgar Hoover and the Manipulation of Modernism*) and Karen Leick, characterize the FBI's investigative practices as a "twentieth-century federal gaze" (1) trained upon writers and artists who attracted the suspicions of these gumshoed hermeneuts. "Hounded for years by Hoover and Special Agents in his bureau," the editors note, "many of the writers and artists associated with modernism eventually were bullied into silence, acquiescence, and dread" (7). Leftward leanings, sexual nonconformity, fascist flirtations, even honorable left wing opposition to Adolf Hitler could trigger the compiling of a Hoover dossier; and this volume surveys a wide range of FBI "subjects": Richard Wright, Claude McKay, Henry Roth, Muriel Rukeyser, Jean Renoir, Bertolt Brecht, Hanns Eisler, Klaus and Erika Mann, Ernest Hemingway, Ezra Pound, and others. "Subjects," a favorite word in the bloodless patois of Hoover and his Special Agents (a lingo in which G-Men "telephonically contact" people), has a nice

multivalence, suggesting at once the focus of research (as in "the subject of my dissertation") and the subaltern status of any suspected deviant from patriotic norms. The hint of subjection to a sovereign gaze would have shocked John Adams, who once remarked that he "was not a British subject, that [he] had renounced that character many years ago, forever; and that [he] should rather be a fugitive in China or Malabar, than ever reassume that character."<sup>3</sup>

To begin with, the "data set" acquired by Culeton, Leick, and their contributors is stunning in every sense of the word: thousands of pages of FBI documents, often heavily "redacted" (that is, blacked out),



obtained under the Freedom of Information Act (FOIA), a federal statute signed into law by President Lyndon B. Johnson in 1966 and intended to enhance transparency and accountability in our republican government. That some of the contributors obtained their zebraed pages during the administration of George W. Bush says something about the continuity of freedom in our country. (The latter statement might have earned me a Hoover dossier 50 years ago.) A few of the essayists describe the process of assembling their archives. Christopher Faulkner received his documents slowly and fitfully: 105 pages in one batch; then seven more pages 15 months later; then three after six additional months; then another 63 when three more years had elapsed (169). The psychology of waiting is itself a subject of this collection.

The bureaucratization of reading is also a subject here. In order to build a dossier on a writer, the FBI often improvised a syllabus and read through the writer's works, engaging in a kind of suspicious-critical combing for subversive motifs. As William J. Maxwell shows in his fascinating essay on the ways in which the FBI turned its "spyglass" on Afro-modernists such as James Baldwin, W.E.B. DuBois, Claude McKay, Richard Wright, and Langston Hughes (25), Hoover's "ghost-readers" reflected the Bureau's fear that modernism was able "to order minds in a fallen world" (29). Some of these "subject" black writers, in response, produced a "novelistic subgenre of their own, that of the counterfile, in which tropes of the police dossier are aired and angled against their usual ghostreaders" (35). (Andrew

Strombeck reads Richard Wright's novel *Savage Holiday* as another response to the FBI's "dogging" (128).) Piles of critical studies have speculated, often abstractly or hopefully, about the subversive potential of modernist writing. Here, we have concrete evidence that the guardians of prescribed patriotism—"the school of Hoover based in Washington's most book-aware Seat of Government" (36)—treated left-leaning Afro-modern writing as dangerously capable of altering minds and hearts. Reading these spooks reading black modernism, as Maxwell does, offers a lesson in the potency of the radicalized verbal icon.

One of the tragic themes of this collection is the FBI's indiscriminate hounding of individuals whose politics were in no sense dangerous or were affirmatively pro-American. For example, Muriel Rukeyser's "radical" activities—such as her work with the International Labor Defense on the Scottsboro Boys trial—led to a fat FBI dossier despite the fact, as Jeanne Perreault points out, that she "was hardly a partisan of any rigid ideology and held constitutional American ideas as central to her beliefs" (148, 154). The Marxism of the German composer Hanns Eisler was in large part a response to the rise of fascism; as James Wierzbicki notes in one of the best essays here, Eisler's "negative sentiments [about society] were only antifascist, never anti-American" (198). Yet the FBI, despite a weak case, relentlessly tailed and wiretapped Eisler for six years until a warrant of deportation allowed him to depart voluntarily for Europe (211-12). Similarly, the children of Thomas Mann, Klaus and Erika, avidly sought to help the United States in its fight against Hitler—Klaus by trying to hide his homosexuality from Army psychiatrists so that he could be inducted, and Erika by performing various patriotic services during the war. Klaus committed suicide in 1949. Erika ended her days in Switzerland, devastated by Klaus's death and her experiences in the United States. Describing Klaus's desperate plea to Attorney General Francis Biddle to send him overseas as a member of the Armed Forces, Andrea Weiss wins the prize for the most wrenching sentence in the collection: "Only a man at the end of his rope would write to the U.S. Government to defend himself without knowing what the charges were" (221). The right-to-due process becomes a Kafkaesque nightmare here.

Although Hoover seemed to turn his attention from fascism to communism even before the end of World War II, the 1,500 pages of the FBI's Ezra Pound file show that Italy's "Lord Ga Ga" (as William

Carlos Williams dubbed his Duce-touting poet-friend) could still command the attention of a battalion of Special Agents. In "Madness, Paranoia, and Ezra Pound's FBI File," Karen Leick advances the intriguing thesis that Pound really did suffer from mental disease, a flamboyant paranoia that attuned him to a Cold War climate of covert surveillance, hair-trigger suspicions, and official probes into un-American activities. Pound's madness, according to Leick, "allowed him to see that organizations might conspire together against the better interests of citizens as a whole; to believe that most people did not listen to warning signals around them; to suspect the motives of patriots; and to see that it was difficult to know who to trust" (119). Pound's early aphorism that "artists are the antennae of the race" became a grim reality for Pound, according to Leick, when his mental condition dialed up the frequency of the times.

I want to offer one correction here, so please forgive the following brief sermon. Pound never offered a "plea of insanity" or an "insanity defense" to the treason indictment returned against him by a federal grand jury (107, 109, 110, 117). Leick is not alone in this error; it pops up throughout Pound scholarship. Although his lawyer was considering an insanity plea, the legal proceedings never reached the stage where Pound was required to put in an affirmative defense. Instead, a federal jury concluded that he was mentally unfit to stand trial, whereupon he was confined in a mental hospital pending the return of his competency to face charges. (He never was declared fit to be tried, and the indictment was quashed 13 years later.) Unfitness to stand trial is a very different thing from an insanity plea. Unfitness means that the

defendant, at the time of trial, is unable to consult meaningfully with counsel or to understand the nature of the proceedings against him. (Leick does note that Pound's present mental condition was at issue (109).) A successful insanity defense, on the other hand, means that the defendant, at the time of the alleged crimes, was suffering from a mental condition that prevented him from distinguishing between right and wrong. Because a jury found him mentally unfit at the time of trial, Pound never got to argue that he was insane at the time he recorded his radio broadcasts (or to present his other contemplated defenses, such as the constitutional right to free speech and the prohibition against *ex post facto* laws).

There is one noticeable gap in this important volume, and it is hardly surprising that it exists. Throughout, the essayists argue or suggest that FBI surveillance materially affected modern writing, that the federal gaze "compromised the militancy of modernism" (8). But the actual impact on modernist texts is often asserted rather than demonstrated. In his otherwise excellent essay, Steven G. Kellman suggests that Henry Roth's writer's block of 60 years may have resulted from his knowledge that he was being scrutinized by government agents. Maybe so, but it is not proven here. Other contributors grasp at grandiose synchronicities that are more lyrical than persuasive: "The deterioration of [Claude McKay's] physical condition, so sudden and unexpected, mimicked the cultural stagnation that rolled and undulated against a rising chorus of attacks by T.S. Eliot and other modernists on vernacular and mongrelized art and that preceded the rise of European fascism and the outbreak of World War II" (90). Of course, it is hard to

pin down the precise cultural effects of the federal spooks, and the essayists here may be forgiven a bit of fevered guesswork.

The final essay in the collection, Culleton's "Extorting Henry Holt & Co.: J. Edgar Hoover and the Publishing Industry," is a chilling exploration of Hoover's cozy "custodial relationship" with the Holt firm" and other publishers, including Bennett Cerf (237, 243). The 234 pages of the FBI's Henry Holt file show that the Holt company carried favor with Hoover, served as a FBI informant, published and puffed Hoover's books, and promised that it would not publish books "that we consider detrimental to the best interests of this country" (239). In other words, Holt and other publishers offered themselves as Hoover's cat's-paws, helping him to "micromanage intellectual life in the United States" and surrendering "freedom of expression" (249, 250). The picture is not a pretty one, and Culleton here makes one of the best cases for the deleterious effects of the federal gaze on writing and the arts in the United States.

Publishers that go along to get along do not fill one with admiration. Yet we still see it today. A few months ago, an academic contacted me about problems she was having with the heir of a noted modernist poet, the subject of her scholarly work. In all innocence, she had contacted the heir with what she thought was a routine request for permission to quote from copyrighted material. The heir informed her that permissions fees would be high and that he took a very narrow view of fair use. If she would not agree to his fees and persisted in going ahead with publication anyway, he would inform her publisher that permissions had been denied. Though surely

not as insidious or disturbing as the collaboration of Holt and Hoover, the capitulation of publishers to the threats of private copyright owners weakens scholarly publishing and threatens archive-based research and textual analysis. Many risk-averse publishers have acceded to copyright owners' definitions of fair use, thereby internalizing what might be thought of as the Copyright Gaze. This can't be a good thing for scholarship, any more than Hoover's micromanaging of culture through ghostreaders and Vichy publishers was good for America. *Modernism on File* reminds us that intimidation comes in many shapes and sizes. Its lessons help us to realize that the regulation of authors and authorship is a perennial temptation, for both private and governmental actors. ■

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#### NOTES

1. Pound, Ezra. "Pound for President?" (Letter to the Editor). *The Nation* Vol. 125 (Dec. 14, 1927): 685. Rpt. in *Ezra Pound's Poetry and Prose: Contributions to Periodicals*. Ed. Lea Baechler, A. Walton Litz, and James Longenbach. Vol. IV. New York: Garland Publishing, Inc., 1991. 393. [Hereafter cited as "Poetry and Prose."]

2. Burns, Eric. *The Spirits of America: A Social History of Alcohol*. Philadelphia: Temple University Press, 2004. 143.

3. *The Works of John Adams*. Ed. Charles Francis Adams. Vol. VII. Boston: Little, Brown and Co., 1852. 432.

4. Williams, William Carlos. "Ezra Pound: Lord Ga Ga!" *Decision*, Vol. 2 (Sept. 1941): 16-24.

5. Pound, Ezra. "In Explanation." *The Little Review*, Vol. IV (Aug. 1918): 8. Rpt. in *Poetry and Prose*, Vol. III. 144.