

Thoughts on a Neglected Category of Social Movement Participant: The Agent Provocateur and the Informant¹

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This article considers the hitherto unexplored phenomenon of the informant as used by authorities in their response to social movements. The origins and motives of informants, their roles in radical groups, and factors conducive to their becoming agents provocateurs are explored. Suggestions for further research and conclusions about the effects of using informants are offered.

We shall provoke you to acts of terror and then crush you.
[C. B. ZUBATOV, TSARIST POLICE DIRECTOR]

There's a thousand guys in the field like me. [TOMMY THE TRAVELER]

From the dawn of our history, internal law and order has had to depend in greater or less measure on the informer.
[*Police Manual*]

It is surprising that Peter Berger's (1966) advice to introductory sociology students—"the first wisdom of sociology is this . . . things are not what they seem"—has not been taken more seriously by students of social movements. The sociological literature has much to say about the conditions that give rise to movements, types of movements, and types of leaders and participants. There has been a good deal of attention paid to describing

EDITOR'S NOTE. While it is our customary practice to reserve the right to first publication of all materials, we believe that this article, which was submitted to us on February 1, 1973, and has been considerably revised since then, is of sufficient interest to bring it to our American readers, few of whom, we believe, will have access to the earlier version published in France.

¹ An earlier and shorter version of this paper was delivered at the American Sociological Association, New Orleans, 1971 and appears in French in *Sociologie du Travail*, vol. 3 (July–September 1973). Some of the material appears in *Social Movements: A Reader and Source Book*, edited by Robert R. Evans (Chicago: Rand-McNally, 1973). I am grateful to the Guggenheim Foundation and to the Harvard Criminal Justice Center for support. This paper profited from the critical reading of Howard Becker, Herbert Blumer, M. Bodemann, Everett Hughes, Morris Janowitz, John Kitsuse, Florence Levinsohn, S. M. Lipset, E. L. Quarantelli, Roberta Satow, and Alain Touraine, and some police sources, who, consistent with a mode of operations they are familiar with, prefer to remain anonymous.

activists in relationship to their organizations, as well as to attempting to delineate the social and psychological nature of the activist's commitment (e.g., relative deprivation, heightened aspirations, status insecurity, altruism, authoritarianism). Yet there has been hardly any attention paid to the activist whose allegiance lies not with the movement, but whose role instead is to create internal dissension, gain information, and/or provoke a group to illegal activities that would then justify official action and possibly turn public sentiment against them. Such activists, in Joseph Conrad's (1965) felicitous phrase, represent "some species of authorized scoundrelism": agents provocateurs and informants.

Concern with the role of such specious activists ought to be an important part of the study of social movements, especially such perspectives as those of natural history and collective behavior, which stress the interdependence of a social movement and its environment. Certainly the efforts of the larger society to control or accommodate to social movements (particularly protest groups) should be viewed as an integral part of the environments of these groups. The use of undercover agents and surveillance as a response to social movements is a neglected topic in sociology. Yet in their various roles, undercover agents can seriously distort the life of a social movement; they can serve as mechanisms of containment, prolongation, alteration, or repression.

There are some obvious reasons for the neglect of this topic: probably foremost is the difficulty of research access and the secrecy involved. Another may be a certain hesitation to suggest that protest action may owe some of its dynamism to the catalytic activities of a planted agent. Furthermore, the tendency of a researcher to study social movements from the relative quiet of his or her office—relying on the printed literature of a group, surveys, and media accounts—may be conducive to missing some of the richness of a movement's interaction with its environment and perhaps to being misled. Finally, it would not be surprising for an observer to take a skeptical view of claims of agent-provocateur activity, considering the antipolice and conspirational world view of many activists. Their tendency to accuse innocent members of informing in intramovement struggles and to base their legal defense in cases of arrest on entrapment may cause some exaggeration of the actual amount of infiltration that occurs in a group.

One need not believe every account, however, to acknowledge that agents sometimes play important roles. Numerous historical examples and public government records suggest their presence: materials taken from the FBI office in Media, Pennsylvania; the pride with which the FBI claimed to have infiltrated the Communist party; the continued existence in many American police departments of "red squads," which trace their existence back to the turn-of-the-century fear of anarchists, Wobblies, and leftists;

the large increase in recent years of police budgets for intelligence and "confidential funds" (in some cities there are reportedly more police working on political intelligence than on organized crime); police training materials; court records; congressional and grand jury investigations; the occasional public statements and affidavits of agents who change their minds and/or write autobiographies; and their occasional disclosure.

Questions of validity can, of course, be raised about some of the above sources, such as the accounts of former agents already experienced in deception, those charged with crimes in whose interest it is to claim entrapment, and stolen documents reprinted in the underground media.² Unfortunately, the nature of the topic requires a greater degree of reliance on unusual data sources and perhaps as a result more tentative conclusions. However, this paper does not claim that the cases to be presented below are typical of undercover police work, does not attest to the correctness of any given account, and does not argue that agents are always important factors in the protest and violence of social movements: rather, from a review of numerous accounts, it seeks to take a preliminary look at the subject to discover what general statements can be made and to suggest directions for research.

We need to ask a number of questions about the men and women who assume the role of agent, the role they play, and the consequences of that role. We need to know why it has been so easy to infiltrate recent American protest movements. What kinds of people play such roles? What are their motives, and how are they recruited? How do they operate? What agent career patterns can be identified? What causes informants to become provocateurs or, on the other hand, to convert to the beliefs of the social movement? Under what conditions are agents discovered? How do movements respond to the threat of agents and their discovery? What are the broader sociological and social implications of these phenomena?

For the following discussion I have reviewed 34 recent cases. I have drawn upon media sources, police literature, court records, congressional investigations, and some interviews with police and informants (in the truest, if not the best, sense of the word).

SOME CATEGORIES FOR ANALYSIS

In theory, a distinction can be made between the informant who merely plays an information-gathering role and the agent provocateur who more assertively seeks to influence the actions taken by the group. Empirically applying this distinction is more difficult. There are pressures inherent in

² For example, materials reportedly stolen from the FBI office in Media, Pa., have been published in *Win*, a bimonthly pacifist journal available from Box 547, Rifton, New York.

the role that push the informant toward provocation. The most passive informant, of course, has some influence on the setting by his mere presence. His presence can make a movement seem stronger than it actually is. If nothing else, he may provoke the kind of information he is looking for. He may pass on to authorities false, exaggerated, or misinterpreted information. This may move through several police agencies and bureaucratic levels, and can lead to police actions with self-fulfilling effects. Even an informer who does not concoct information may "provoke" violence if his identity becomes known to the infiltrated group. They may attack him, and this may lead to counterattacks from authorities. Some examples of this phenomenon are the Black Panthers in Baltimore, New Haven, and New Orleans and the Weathermen in Chicago.

The consequences of agent-provocateur actions are more obvious. The agent may go along with the illegal actions of the group, he may actually provoke such actions, or he may set up a situation in which the group appears to have taken or to be about to take illegal actions. This may be done to gain evidence for use in a trial, to encourage paranoia and internal dissension, and/or to damage the public image of a group.

An agent may work for the police, for an interest group, a foreign government, or for a rival social movement. Among important differentiating factors are whether the agent is a sworn police official or a civilian; whether the agent was planted in the group or was already a member when his or her activities started; and whether motives stem primarily from ideology, police pressure, material gains, or personal ends.³ Before analyzing the phenomenon, let us review some recent examples.

- The FBI in Meridian, Mississippi, was reportedly involved in the payment of \$36,500 to two members of the White Knights of the Ku Klux Klan (KKK) to arrange for two other Klansmen to bomb a Jewish businessman's home. A trap was set in which one Klansman was killed and another arrested in the unsuccessful attempt (*Los Angeles Times*, February 13, 1970).⁴

³ Another distinction is between the overt and covert informer. Social scientists and journalists often fit into the former category, whether intended or not. A wide array of other occupational groups serves informant functions. For example, FBI agents are told to look for information among owners and employees of "taverns, liquor stores, drugstores, pawn shops, gun shops, barber shops, janitors of apartment buildings, etc.," and among those "who frequent ghetto areas on a regular basis such as taxi drivers, salesmen and distributors of newspapers, food and beverages" (*Win* 1972, p. 52). Installment collectors and postal workers are also sources of information. This paper is concerned only with covert informants who are social movement participants.

⁴ Three other publicized cases involving informants and right-wing groups include the raid on an arsenal to obtain weapons supposedly to be used against civil rights and antipoverty workers, the conviction of seven Minutemen of conspiracy to rob banks, and the incident of an FBI informant who became assistant state coordinator of the right-wing Secret Army Organization and drove the car from which shots were fired

- A student, paid by a congressional investigating committee to provide information on student radicals, has revealed how he started a Students for Democratic Society (SDS) chapter at his local college in order to keep tabs on the left and “prevent” a student takeover of buildings (Meinhausen 1969).

- The University of Chicago chapter of the Dubois Club collapsed when its chairman, Gerald Kirk—an SDS activist, sociology major, and FBI informant—withdrawed from it. Kirk told a congressional investigating committee that the group collapsed because he did not work hard enough on it (*Investigation of S.D.S.* 1969).

- In demonstrations at the University of Alabama, a police agent reportedly urged violence, set fire to at least one campus building, and threw fire bombs and other objects at police. His actions were used to declare unlawful assemblies in which approximately 150 people were arrested (*Los Angeles Times*, September 11, 1970).

- An SDS chairman described as “the best liked and most trusted person in the movement in South Carolina” was a state police agent who helped indict a number of his co-workers (Herbert 1971).⁵

- A deputy sheriff, enrolled as a student at SUNY at Buffalo, posed as a campus radical for 8 months, and testified to a Senate subcommittee that he helped students build explosive devices and test them in deserted wooded areas (*Washington Post*, October 9, 1970).

- A “radical student” arrested by Kent police for illegal possession of a Chinese-made AK-47 rifle and rocket launcher turned out to be a Kent State University campus security guard (*Cleveland Plain Dealer* 1972).

- “Tommy the Traveler,” posing as an SDS organizer, offered bombs, guns, and lessons in guerilla tactics to students on various New York campuses. Two students whom he had taught to make Molotov cocktails burned down the campus ROTC building and were immediately arrested (*New York Times*, June 7 and 19, 1970; Rosenbaum 1971).

- A police agent at Northeastern Illinois State College led an SDS sit-in and was expelled for two semesters for throwing the school’s president off the stage. He was the only SDS Weatherman representative on his campus and actively recruited students to join his faction and to participate in the 1969 Chicago “Days of Rage.” During the Chicago conspiracy trial, where

at a San Diego activist (*New York Times*, August 24, 1967; June 23, 1968; November 1, 1973). However, such cases should not necessarily lead one to conclude, in David Burnham’s (1972) words, that the FBI are in fact “equal opportunity infiltrators.” Of the political cases in the Media, Pa., FBI files, more than 200 involved left and liberal groups, while only two involved right-wing groups.

⁵ This agent sought a Ph.D. in sociology and although a drug arrest initially hooked him into the role, it was also seen as “an interesting way to really learn the objective truth about political radicals” (Herbert 1971).

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he was a prosecution witness, he acknowledged proposing schemes for sabotaging public facilities and military vehicles (Donner 1971).

- A well-known Cambridge community activist and tenant organizer active in many leftist organizations, including the local SDS executive committee, who had been described as SDS's major link with "the area outside Harvard Yard," was a paid FBI informant for three years (*Boston Globe*, April 12, 1973).

- George Demerle, an ex-Birch Society member known in New York radical circles as "prince crazy," was an FBI informant. He admitted that he helped assemble bombs and was with Sam Melville when they placed a duffle bag full of time bombs on an army truck. Demerle and three others were arrested on bomb conspiracy charges. Charges against Demerle were quietly dropped. He had also been active in the Progressive Labor party, the Revolutionary Contingent, the U.S. Committee to Aid the National Liberation Front of South Vietnam, the Yippies, the Crazies, and the New York Young Patriots (*New York Post*, May 23, 1970).

- An acting regional coordinator of the Vietnam Veterans against the War (VVAW) who advocated the need for "shooting and bombing"—and whose actions appear to have led to a bombing, a threat of bombing, an illegal demonstration at an air force base, and subsequent arrests—was an FBI informant for 9 months. His testimony resulted in indictment of VVAW leaders on conspiracy charges for plans to disrupt the Republican National Convention (Donner 1972).

- The informant who testified in the Father Berrigan case helped carry messages to those outside the prison. He claimed a knowledge of explosives and helped arrange meetings that led to an indictment charging the participants with conspiratorial activities (*New York Times*, February 7, 1971).

- Robert Hardy, an FBI informant, provided leadership, plans, diagrams, instructions, supplies, and transported people and equipment to the scene in the Camden draft board raid (*New York Times*, March 16, 1972).

- A Mexican-American leader helped organize the Brown Berets, while working as an informer for the Treasury Department in Texas and California. His actions permitted police to raid the Chicano Moratorium Committee and arrest some of its members (*Los Angeles Free Press*, February 4, 1972).

- After planting a bomb at a real estate office thought by many to be responsible for local housing segregation, Larry Ward, a young Seattle black described as "apolitical," was killed by waiting police. He reportedly had been paid \$75 to place the bomb and was driven to the scene by an FBI informant. The latter, a convicted robber, had reportedly been released from prison after offering to help police solve a wave of bombings. He had at first tried to recruit an ex-Panther to place the bomb. He recalls

“the police wanted a bomber and I got one for them. I didn’t know Larry would be killed” (Waltz 1971).

- Three of the four members of a New York group called the Black Liberation Front were arrested for plotting to blow up the Statue of Liberty. The fourth, an undercover policeman, reportedly helped to draw up plans for carrying out the idea and provided police funds both to pay for the dynamite and to rent the car in which it was picked up. He had previously established credentials by having himself arrested, convicted, and fined for trying to make a citizen’s arrest of Mayor Wagner (*New York Times*, February 16, 1965).

- In New York, 13 Black Panthers accused of conspiracy to bomb public places reportedly obtained 60 sticks of dynamite from an FBI informant (*New York Times*, May 8, 1970).

- A New York detective helped open the Harlem office and then headed the Bronx chapter of the Black Panthers. He joined the party before any of those he testified against in the Panther 13 trial. He acknowledged that his actions at times went beyond mere infiltration in order “to protect my cover” (*New York Times*, February 3 and 17, 1971).

- Another undercover policeman had charge of the distribution of the Panther newspaper in the metropolitan area and was acting lieutenant of finance (*New York Times*, March 5, 1971).

- Malcolm X’s personal bodyguard, the man who delivered mouth-to-mouth resuscitation to him, was a New York detective who had been undercover for seven years. He started as a Muslim and later became active in the Panthers. He earned a black belt in karate and taught it to one black nationalist group he infiltrated (*New York Post*, December 2, 1970).

- In other cases involving the Black Panthers in Indiana and New York, police agents reportedly have induced black militants to burglarize and rob, offering them weapons, a map of the target, and even a getaway car (American Civil Liberties Union 1969; Chevigny 1972).

- Heavy police surveillance and the eventual shoot-out in Cleveland between a black nationalist group led by Ahmed Evans and police, which left several dead, came after a never-substantiated FBI informant’s report that the group was gathering weapons in a plan to kill moderate black leaders (Masotti and Corsi 1969).⁶

- The raid in Chicago where Fred Hampton and Mark Clark were killed was based on FBI informants’ report of a weapons cache, though few

⁶ In some cases such alleged “tips” may be police inspired and serve as a means for gaining legal justification for undertaking raids, searches, etc. A civilian agent with 10 years’ experience reports that the special investigations section of the Los Angeles Police Department requested him to make a telephone call that resulted in the police raid on a Black Muslim mosque in 1965 (*Washington Post*, October 17, 1971). In other cases, nonexistent informants referred to by code symbols may be used to legitimize information obtained from illegal wiretaps.

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weapons were found (*New York Times*, May 16, 1970). The chief of security for the Panthers at this time and Hampton's bodyguard was a paid FBI informer. In court testimony he revealed his duties to be "making sure that all members were properly armed and their weapons working, screening and investigating possible informers, and building security devices" (*New York Times*, February 13, 1974).

Numerous historical examples are also available from France, Russia, and England (Cookridge 1967; Venturi 1966). The English Cato Street conspiracy offers a classic case (Stanhope 1962). Benjamin Franklin seems to have had fluid allegiances between France and the United States. It has been argued that at one point Stalin was a police spy (Hyde 1971); anti-Nazi resistance groups in occupied Europe were heavily infiltrated. From the Molly Maguires, through the Haymarket riots and the San Francisco Preparedness Parade bombing, and onward, there are many examples to be found in the American labor struggle (Lewis 1964; Huberman 1937).⁷ There are also parallel cases in international relations (Blackstock 1964).

At any given time period there are many American social movements, yet only a few are deemed worthy of infiltration. The placement of agents in movements is certainly selective. One area where police discretion could usefully be studied, it is probably a function of police perceptions of threat, the political pressures brought to bear upon police, and the means and ends of the movement. Among the 34 cases for which some information is available, 11 involved white campus groups; 11, predominantly white peace groups and/or economic groups; 10, black and Chicano groups; and only two, right-wing groups.

THE BACKGROUND OF AGENTS

Generalizations here must be both rather superficial and cautious. The agent is likely to share the characteristics of the group he works against. Most recently this has meant being young and/or belonging to a minority group. Certain observations can be made about the more than 34 cases that have become public and for which some information is available, though this is a small and not necessarily representative sample.

It is easy to conjure up superspy images of the highly experienced professional policeman who is everywhere conquering domestic dragons, and it appears that the FBI would like to give this appearance. In fact, a few agents might fit this image. Thus, Robert Pierson—who was assigned by

⁷ In one case, in the hope of encouraging armed government intervention, the Ford Motor Company hired 1,000 strike breakers at its Rouge River plant to stage an illegal sit-down strike and engage in riotous demonstrations in the midst of a genuine strike (Taft and Ross 1969). A labor song popularized by Pete Seeger and the Almanac Singers contains the lines "you can always tell a stool pigeon boys that's a fact/He's got a yellow streak a'runnin' down his back."

the Illinois State's attorney's office and served as Jerry Rubin's bodyguard during the Democratic convention—graduated from the FBI training school, the Chicago Police Academy, the Counter-Intelligence Service at Fort Holabird, and was also a veteran of Army counterintelligence service.

Just as the United States has a special academy to train police from developing countries for political work, so various Americans experienced in foreign security work have returned to the home front. James Jarret, an ex-Green Beret working with the Los Angeles Police Department's intelligence squad, is said to have delivered a box of hand grenades to the house of two activists shortly before they were arrested for possessing hand grenades. He reportedly had past CIA experience in Indochina, Africa, and Latin America. Tommy the Traveler's father is said to have worked for the CIA. A civilian informer in Seattle had a background in counterintelligence. The CIA has trained local police in intelligence matters (*New York Times*, February 6, 1973). There are also exchanges in the other direction. Thus, two former members of New York's Bureau of Special Services became active in the White House "plumbers' unit."

The elaborate preparations that characterize wartime spies generally seem absent. The stakes are not as great, a different type of information is sought, the "enemy" is less sophisticated at detection, infiltration takes place within the United States, and contact with supervising authorities is much simpler than in a foreign country. The myriad of cultural details noted by Goffman (1972) that might give an agent away were he in a different country (laundry marks, buttons on the wrong side, how he holds his fork, etc.) need not be as carefully attended to. Nevertheless, cover stories must often be created, and some of the same elements are present.

But given the local and decentralized nature of much American law enforcement, the relative openness of American society, and the lack of a tradition of political police, much infiltration of radical movements appears to be rather amateurish. In a majority of cases, civilians—rather than sworn police personnel—are used as informants.⁸ Civilians are much cheaper and give far greater coverage, but, more important, they easily share the attributes of the group to be infiltrated, which do not normally correspond closely to the police, who are more likely to be white, high school educated, over 30, Christian, male, American born, with a conventional life-style and world view.⁹ A police source observes that "undercover

⁸ Of the 34 cases for which data are available, 21 involved civilians; the remaining cases involved local police. Almost all 21 civilians were employed by national police agencies, while five also worked for local police. Only one of the 34 cases involved a female. The FBI, unlike local police (particularly in cities such as Los Angeles, Chicago, and New York, with large political intelligence units), apparently rarely use their sworn agents as infiltrators.

⁹ However, as the felt need becomes great enough, this situation is likely to change. In commenting on a sensitive college graduate who became a police officer, a detective in

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police agents are social or political chameleons selected precisely because of their ability to blend naturally into the background of the area to be studied" (Bouza 1967, p. 67). However, this is easier for some groups than for others. The social characteristics of the police may not have impeded access to the labor movement, to right-wing political groups, or to black groups—such as the Muslims and the Panthers—with a lower status base, but the New Left drew upon a different stratum of the population, namely, students and the intelligentsia.

When regular police are used as agents, it is often those who have recently joined the force, sometimes having purposely not undergone academy training. Their youthfulness not only makes their access easier, but it also makes them less recognizable as police officers and eliminates the need for elaborate cover stories. They may play "themselves," using their own names and biographies as much as is possible. In some cases (as at Columbia and SUNY at Buffalo), police who infiltrated student movements were regularly enrolled students. With increased emphasis on college-educated police and programs to facilitate going to school while serving on the force, this seems a natural arrangement. Another natural arrangement appeared in the case of New York City black policemen, some of whom had been Black Muslims for many years. However, in the fall of 1972, the New York City Muslims, apparently in fear of undercover agents, "expelled dozens of their members who work as policemen" (*New York Times*, October 29, 1972).

Some civilian agents have had experiences conducive to deception. The agent in the Berrigan case had previously been arrested for impersonating an officer, fraud, and forgery. Several agents had led double lives as homosexuals and drug dealers.

Among civilian agents, a goodly percentage were previously or simultaneously informants for traditional criminal matters. This was particularly true in the black movement. This use of traditional criminal informants in political cases seems to come about because some groups such as the Panthers and Black Muslims sought to recruit from those with lower-class and criminal backgrounds. Legal protest and illegal drugs were part of the same youth culture. In the middle and late sixties, the line between protest and crime became blurred in the minds of the public and the police, as black violence and Weathermen activities occurred simultaneously with demonstrations, sit-ins, and other nonviolent actions.

Applying their previously held images of criminals and their rhetoric

Report to the Commissioner (Mills 1973, p. 56) notes "a few years ago he never would of made it through the academy. But today they look for these kids. . . . It's like it used to be with Negroes. You got problems in Harlem? You got the motherfuckers buying guns? You gotta have Negro cops. . . . Your problem's Mafia, you gotta have guineas and when the problem's kids, you need kids."

and procedures for handling criminal cases, the police engaged civilian informants and also sent their own officers into the ranks of those they viewed as criminals. Techniques for dealing with vice cases, when the state is a complainant, rather than a wronged individual, were easily transferred to political cases. The United States is unique in giving the same national police agency responsibility for the very different activities of counter-espionage and criminal investigations. Cold War rhetoric of the 1950s, which linked politics and crime—such as J. Edgar Hoover's references to the "Communist underworld"—undoubtedly strengthened the inclinations of the FBI and the police toward this kind of surveillance and detection. A pool of men trained in military intelligence was available.

The FBI procedure encourages what it calls "racial informants" among those who previously have been criminal informants.¹⁰ When local police used agents on the college campus, as with Tommy the Traveler and Charles Grim at the University of Alabama, the same agent often dealt in both drugs and politics. It is difficult to tell whether the agent was primarily concerned with politics, was using his radical political activities to help establish credibility in his undercover drug role, or was equally concerned with both. Some agents were paid simultaneously by local police to do narcotics and by the FBI to do politics.¹¹ For both there is no complainant, and undercover work is necessary. In some cases where it was not possible to get a man for his politics, he could be gotten for his drugs. In addition, students involved in politics and drugs—and arrested for the latter—could sometimes be induced, to avoid prosecution, to work with the police in both areas.

In most cases, the agent simply appears on the scene without elaborate background preparations. He may loyally carry out routine tasks; recount tales of past activism or victimization by the system; propose daring

¹⁰ In an FBI memorandum stressing the need for each agent to increase his number of ghetto informants and suggesting ways to do this, agents are advised that regular contact should be made "with existing criminal and security informants. . . . Some of these should undoubtedly be converted to racial informants." Agents are also instructed to "immediately ascertain among all Negro informants, including ghetto informants, which informants are planning to enter college this fall and would be in a position to infiltrate black power groups on campuses. Bureau desires that we furnish them with the identities of these informants and the colleges they plan to attend" (*Win* 1972, pp. 53–54).

¹¹ There appears to be considerable exchange and multiple usage of informants among enforcement agencies. Thus, an agent provocateur involved in the Los Angeles Los Tres del Barrio case had reportedly worked as an informant for the FBI, the Federal Narcotics Bureau, the Alcohol, Tobacco, and Firearms Division of the Treasury Department, the Los Angeles Police, and the Special Services Unit of the California Department of Corrections (*Los Angeles Free Press*, February 4, 1972). Agents may also cross ideological boundaries. Thus, one agent who began informing on a neo-Nazi leader later also informed on SDS.

schemes; offer to obtain resources such as weapons, supplies, and vehicles; and offer instruction in self-defense and the use of weapons and explosives.

THE MOTIVES OF AGENTS

Presumably we do not need to investigate the motives of the undercover agent who is a regular policeman or FBI agent. He is simply doing the job he is paid to do, although later in this paper we will discuss the fact that these agents sometimes go beyond what appears to be their mandate. Civilian agents, however, offer a variety of motives not so easy to detect. Some are patriotic Middle Americans and/or those insecure about their status. Others come from an urban criminal milieu where rewards of various kinds may be most important, while others seem to be otherwise typical members of the group they inform on (whether the Klan or SDS) who have become disenchanted with their group or get hooked into the role by the police. There are also, no doubt, some described by a police manual as “demented, eccentric, nuisance types” (Harney and Cross 1960).

Patriotism

For those individuals who appear to be impelled by patriotism, motives appear largely ideological—to help the good guys and to hurt the bad guys.¹² The police literature makes much of those who inform as a “civic duty” and implies that this is the most common motive in criminal cases. Young Americans for Freedom, a right-wing student group, infiltrates the left, as have various right-wing exiles from Communist countries. Organizations concerned with equal rights have infiltrated racist groups such as the Klan. Sectarian groups of both the left and the right sometimes infiltrate their closest competitors.

Insecurity about status, long thought to be a factor pushing individuals toward radical politics, may also push them toward superpatriotism and toward informing as a means of gaining acceptance from the dominant group. For example, while it is well-known that Jews were overrepresented in revolutionary groups in Russia, they also may have been overrepresented in the secret police. This appears to be a factor in several contemporary

¹² For example, one specious activist concerned about the effects of university expansion on the supply of low-income housing volunteered her services to the FBI after “these two guys came up and gave me a line of communist rhetoric. It scared the britches off me. I was brought up to believe that communism is a serious threat to my country.” Her awareness of the threat of communism goes back to her New England childhood when “my mother made me sit and watch, in toto, the McCarthy hearings on television. We watched it together. I would knit while she crocheted rugs” (*Boston Globe*, April 12, 1973).

cases, such as with Tommy the Traveler, who is half-Thai, and with some new Americans from Communist countries.¹³

Those with ideological or personal motives are more likely to initiate contact with police and volunteer their services. Some informants were offered draft deferments. Other informers are hooked into service by the police, who offer to trade their resources—immunity from prosecution or harassment, leniency with respect to charges, money, release from jail, help with naturalization, or problems with the government—in exchange for information.¹⁴

Coercion

Among 15 civilian cases for which some information is available, nine volunteered and six appear to have been coerced into the role as a result of arrest or threatened arrest.

In the Meridian, Mississippi, Klan bombings, fear of police appears to have been the main motive; a detective states: "One of the informants believed we were going to kill him. We helped him believe it. We acted like we were going to do it" (*Los Angeles Times*, February 13, 1970).¹⁵ The informants were also given written assurance that they would be immune from prosecution in several cases of church bombing.

The British police have a saying that "today's arrest is tomorrow's snout." Arrest is an important means of recruitment. Charles Grim, who admitted throwing fire bombs and burning buildings at the University of Alabama, in recalling how initial troubles with police led to his recruitment as an agent, remembers being told by a detective: "'I'm going to throw you in jail if you don't cooperate with us,' and, being afraid of jail, as I am, I decided, well, I'd better cooperate. These people had me by the throat

¹³ Those of foreign background may also have other problems that make them more likely to cooperate with authorities. Trouble with immigration officials was present in several well-known criminal cases. The woman who informed on Dillinger and was responsible for his death went to the police hoping they could prevent her deportation to Rumania, and Pierre LaFitte, who helped federal narcotics agents break up several rings, had naturalization problems.

¹⁴ Such a trade of resources goes far back in history. The Bible states: "And the house of Joseph, they also went up against Bethel: and the Lord was with them" (Judg. 1:22). "And the spies saw a man come forth out of the city, and they said unto him show us, we pray thee, the entrance into the city, and we will show thee mercy" (Judg. 1:24). "And when he showed them the entrance into the city, they smote the city with the edge of the sword; but they let go the man and all his family" (Judg. 1:25).

¹⁵ Such accounts may lead one to question J. Edgar Hoover's observation that "unlike the totalitarian practice, the informant in America serves of his own free will, fulfilling one of the citizenship obligations of our democratic form of government," as cited in Harney and Cross (1960, p. 125).

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and they knew it . . . it wasn't the money so much [his payment]; it was the fact that if I didn't do it with them they'd nail me" (Jacobs 1971).

The importance of police pressure can be seen in a bulletin to regular FBI agents that suggests that some activists "will be overcome by the overwhelming personalities of the contacting agent and volunteer to tell all—perhaps on a continuing basis" (*Win* 1972, p. 28).

Financial Reward

As with Gypo Nolan in Lian O'Flaherty's novel *The Informer* (1961), informing for some may be mainly a question of the need for money. The informer in the plot against Caesar Chavez was unemployed when he volunteered his services to the Kern County sheriff's office, who put him in touch with the state narcotics bureau (*New York Times*, January 2, 1972).

There is probably great variation in the amount of money paid informants, depending on the importance of the case, the agency involved, the credibility of the informant, and the like. Excluding narcotics cases, criminal informants at the local level may often receive nominal amounts.¹⁶ The informant in the Camden draft case received \$60 a day from the FBI, the amount normally earned from his construction business. However, for some political cases the rewards may be considerable. According to some sources, the FBI was offering \$2,000 for turning in Weathermen. One student activist at a large midwestern university went all the way through school on what amounted to an FBI scholarship. She received \$300 a month and in return wrote what she believed were nondamaging, selective, general reports on the campus mood and student activism. She saw the job as a hustle, making it possible to get through school, and as a way to protect the student movement.

In 1971 when an FBI agent wished to give out a lump sum or monthly payment of more than \$300 to an informant, he needed to receive authorization on a higher level (*Win* 1972, p. 28). Traditionally, federal agencies have had funds to pay informants, while local police have had very limited, if any, funds available.

Activist Disaffection

Formerly loyal members of a group may be motivated by a variety of reasons, political and personal: to avenge a loss, to try to change the course

¹⁶ According to one police source, "much of such money is spent for cigarettes, sandwiches, and candy bars for hungry informers. These small favors create an atmosphere of friendship without the stigma of paid information between an informer and the officer" (Eastman 1971, p. 162).

a group is taking, rivalries over leadership, personal vendettas, to put someone out of circulation, competition between groups, guilt over past activism, changes in political attitudes. Those who publicly break with a movement may be approached by authorities and encouraged to rejoin later as paid informants. Another motive is to prevent harm from befalling a group or individual the informant cares about.¹⁷ In the Camden, New Jersey, draft case, the informant, who has since renounced his past actions and claimed the FBI broke its word with him, described the group as “the finest group of Christian people I have ever been associated with” (Hardy 1972). He claims that he did not want those in the group, many of whom were his closest friends, to be hurt by committing illegal actions. Some individuals may feel guilt about their past activities and see cooperation with authorities as a way to atone or repay society. Or, sensing that a movement is on the losing end, they may cooperate with authorities in hopes of gaining favorable treatment after the fall.

Double Dealing: The Double Agent

There are also those activists who become agents with the hope that they can assist the movement by giving false information to authorities or by obtaining information about authorities. This “double agent” might betray to the authorities those within the movement who are out of favor or are seen as a threat by the agent. Some double agents seek to gain protection for their own radical activities.¹⁸ Other agents may be essentially apolitical and opportunistic, deceptively cooperating with both sides as this furthers their own interests.

One of the most interesting double agents was Aseff, a Russian police agent for 15 years, 5 of which were spent as head of what a historian writing in 1934 called “the largest and most important terrorist organization known to history” (Nikolajewsky 1934). While Aseff betrayed a large number of activists, he also arranged for a series of terrorist activities “the

¹⁷ One police source suggests such motives may produce poor information. “Jealousy and revenge cause many persons to become informants. They may feel that they have been neglected or cheated. Information received because of this motivation tends to be exaggerated and many times to be completely erroneous. There is no limit to which people will go to get even for a real or imagined wrong” (McMann 1954).

¹⁸ A young man who agreed to work for the FBI, but hoped to be a double agent reports: “I was very afraid of being arrested. I am terrified of the police, but I wanted to do revolutionary activities. I wanted to do “heavy” things, and have the security of not being arrested. I thought I could get away with a lot more, agitate more, without getting in trouble. I could make a speech that could radicalize other people, and if an undercover agent heard it, I would not be arrested. I could openly say that I was a violent radical. This way, I thought I could get the government to finance movement activities. I could give information about the government to the *movement*, and not hurt myself” (Chevigny 1972, p. 243).

success of which focused on him the eyes of the world.” These included the assassination of Plehve, the minister of the interior, and the Grand Duke Sergei, as well as an attempt against the tsar, the failure of which was not Aseff’s fault.

The motivation of a double agent is, no doubt, exquisitely complex, varying both from one situation to another and from stage to stage in his career.¹⁹ He may enjoy a sense of power by deceiving everyone, experience cross-pressures, and be unclear as to which side he is really on. An unstable personality or changing pressures may mean a number of shifts in allegiance back and forth.

There may also be enjoyment of the intrigue and gamesmanship. Chess player and police agent Louis Tackwood, in a remark reminiscent of Georg Simmel’s (1955) emphasis on the sense of power and possession surrounding the secret, states “they [the Los Angeles police he worked with] looked down on me, and all the time it was tickling me to even play counterplots on them and counterplots on the other side too. These are people who think they can conspire against me and they’re playing with a master of conspiracy” (Citizens Research and Investigation Committee, 1973, p. 28).

Those Who Convert to the Movement

To be credible, the agent must share at least some of the class, age, ethnic, racial, religious, or sexual attributes of the group he or she is informing on. This is especially true when the movement is structured around issues related to these sources of identity. However, this very fact opens the agent to a susceptibility to sympathize with the anger, critique, and goals of the group. He may discover that the government’s view of a group is wrong and become disenchanted with the questionable means used to deal with it.²⁰ To be effective the agent must become a trusted member of the group. Yet the more he becomes a trusted member, the greater may be his concern about the betrayal and deception involved in his actions. Familiarity can breed liking as well as contempt, particularly to the extent that the agent is cut off from his familiar surroundings and friends and becomes immersed in a new life. He may experience severe cross-pressures and feelings of guilt, leading to his ineffectiveness as an agent or his becoming a convert to the

¹⁹ For example, the principal informer in the Vietnam Veterans against the War case seemed motivated by (1) his own delusional system, which led him to turn to the FBI for protection from military intelligence and local police, (2) his desire to avoid prosecution on a drug arrest, (3) financial reward, (4) a desire to help the movement, some of whose values he appears to have shared (Donner 1972).

²⁰ For example, the National Federation of Black Police Organizations voted to withhold support from a black officer who “accepts assignment in the black community as an undercover officer dealing with investigations of politically oriented cases, unless a violation of existing laws occur” (*New York Times*, June 13, 1971).

movement he originally sets out to damage. This is the opposite of the person discussed earlier, who starts as an activist and later becomes an agent, though no doubt many of the same processes of conversion, withdrawal of allegiance, changes in self-conception, and reinterpretation of the past are involved.

Among well-known historic examples of this phenomenon are Father Gapon, a police agent and key figure in the 1905 uprising in Russia who became radicalized in the process, and Roman Malinovsky, an agent who apparently became converted to Bolshevism (Wolfe 1961, chap. 31). Conversion often seemed to be the case with those of working-class background who infiltrated the American labor movement during the 1930s. More recently it has been the case with several idealistic FBI agents and informants who concluded that the groups they infiltrated were not a serious threat and that by its actions the FBI helped create some of the problems it ostensibly wanted to control. One man in Seattle, who sought to help the FBI solve a series of bombings, quit and claimed that the FBI asked him to actually carry out bombings (*University Review* 1971). Another student, who worked for the House Un-American Activities Committee after infiltrating SDS, apparently came to enjoy the youth culture, which his rural fundamentalist background had kept from him, and became sympathetic to SDS (Meinhausen 1969). Four men who had gone as undercover agents for military intelligence to the UFO coffeehouse in Columbia, South Carolina, later came forward to testify for the defense. In the Camden draft and Chicano Moratorium Committee cases, the informants became angry and disillusioned when authorities were seen to break agreements.²¹ A black agent who voluntarily surfaced in Los Angeles with 10 years' experience as an informer in criminal and later political cases reports being inspired by Daniel Ellsberg. He states: "After the Angela [Davis] set-up by C.C.S. [the criminal conspiracy section of the Los Angeles Police Department], I couldn't take it any more. She was a good sister. So I decided to try and help you people after all the things I've done against the 'movement.' Kind of like paying you back" (Citizens Research and Investigation Committee 1973, p. 26). Other agents who are not converted may disagree with activists over specific means, yet come to agree that war, racism, and poverty are serious problems, and may subsequently view themselves as liberals.

The Agent Provocateur: Success through Excess

Perhaps more common than the tendency of the agent to become converted and lose his zeal is the opposite: overly zealous agents who exceed their

²¹ Part of the initial police message may be that they are only seeking information. However, police promises not to make an individual testify against, or be involved in the arrest of, anyone he knows may not be honored.

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mandate. This mandate, of course, varies and is not always clear.²² While agents are sometimes explicitly instructed to entrap, to give reports that would justify repression, and to foment discord in a movement, the constraints of a democratic society mean that the most commonly given instructions probably assign no more than a passive information-gathering role. Yet this role may be exceeded. It becomes important to ask why, in the words of the FBI, informants sometimes get “carried away” (*Win* 1972, p. 29).

Those attracted to play such roles may be somewhat unreliable to begin with. The willingness to take a job that involves the deception of activists while posing as their friend may also characterize people willing to deceive those who hire them, particularly if the agent believes his job is dependent on presenting information that indicates a threat to civil order. This economic incentive was very obvious during the 1930s, when labor spying and related activities were estimated to be an \$80,000,000-a-year business. In testimony before the La Follette Commission, a United States senator reported his experiences as a prosecuting attorney to investigate such cases:

I found that what would happen would be that industrial spies would get into a union and then would go out and try to get decent union men to commit some crime, to blow up a transformer, to put dynamite under a building, or blow up something, drive nails into logs or set fire to mines . . . for the purpose of creating jobs for the spies' particular organization . . . they would frighten the lawyers and the officers of the company to such an extent that they would have to employ a great many more men to watch these “dangerous” men; and when the “dangerous” literature that was being passed out, or the suggestions that were being made by supposedly bad men, were traced down, they were almost invariably traced to the Pinkerton or the Burns or the Thiel detective who was lurking in the background.²³ [Huberman 1937, pp. 96–97]

²² The lack of clarity may be functional and a device to avoid charges of entrapment, though the agent and his supervisor know what is actually desired of him.

²³ The Treasury Department's secret service, along with the counterfeiting industry, appears to have grown during the Civil War as a result of a policy of offering rewards for the capture of the counterfeit money that began appearing once the United States decided to bring out paper money. Many counterfeiters apparently found it safer and more profitable to sell to the government. Any system of paying for information on wrongdoing, when the original transactions cannot be observed, has this potential. Lindesmith (1967) and others have reported that Mexican drug dealers may earn double income through the rewards they gain from informing to U.S. customs officials on those Americans to whom they have just sold drugs. In a prison context, the Massachusetts corrections commission claims a state law granting immunity to witnesses who testify before grand juries is “wreaking havoc with us” by producing inmate informants who “manufacture information” (*Boston Globe*, December 16, 1972). “Agent provocateur” is a French word; the system of informants is highly developed in France. The French system of the *correspondent honorable*—who works out of love, fear of blackmail, and for small favors—is not as fully developed in the United States. The French police apparently rarely pay informers and think the Americans get into difficulty because they do.

It might seem logical that such activity would occur less often among sworn police personnel acting as undercover agents who have permanent jobs and are more directly accountable to their employers. However, in the cases considered here, police were at least as likely to move from passive information-gathering to provocation as were civilians. Perhaps the desire for citations and promotions serves as an incentive to enlarge the extent of the threat and aid in "a good pinch." Thus, the young New York policeman who infiltrated the group supposedly threatening to blow up the Statue of Liberty was promoted to detective and decorated after the successful conclusion of the case. Similar promotions have been given to other infiltrators.

The passing of faulty information is more likely to occur if the agent has his own ax to grind, whether ideological or personal. Exiles from Communist countries, for instance, without fresh evidence, may feel they know what a threat the group really is or would be if given the chance, even though it has not done anything yet. Such agents may thus feel free to encourage activists to take violent action or to report false information. They may feel that the group poses such a severe threat that any means (even lying to superiors) are necessary to destroy it.

The nature of the role may lead the informer beyond his assigned task. "Discovering" evidence that would serve to justify his role could help to alleviate his guilt or conflict over the role. Exaggerating the importance of the group may make him feel that what he does is significant. Further, wishful thinking, limited exposure, and selective perception may lead the agent to believe a group's own exaggerated estimates of its power and appeal and to confuse vague revolutionary rhetoric with specific plans. The functions of such rhetoric and the fantasy of violence that characterize some oppressed and powerless groups may not be fully appreciated.²⁴ Further conducive to distortion of information may be factors noted by Wilensky (1967), such as the presence of competing specialized intelligence agencies (within and between police departments) and the hierarchical quasi-military organizational structure characteristic of police.

Deception is aided by the secrecy inherent in the role. It gives the agent an advantage over his employer, who in any given instance may find it hard to assess the accuracy of the information he gets (unless he has a

²⁴ Awareness of this possibility may also lead to laxity on the part of activists in ignoring cues suggesting that an agent is present. In commenting on the offer of a New York police infiltrator to obtain guns for the Panthers, one of those charged as a result of the agent's actions recalls: "I suppose that [the agent's provocative rhetoric] should have made me suspicious. But you always have a lot of loose and groundless talk when you're dealing with a situation like this. Let's go out here and do this, let's go out here and do that, these things you're just talking about off the top of your head. Tomorrow it's forgotten. Ninety-nine percent of the things that were said were never done" (Chevigny 1972, p. 103).

number of such agents in the organization). While it may be true, as the leading police administration book suggests, that "certain police activities are best conducted in a milieu of privacy, removed from the mainstream of publicity and routine which often attends other facets of law enforcement," there are likely to be important problems of accountability, as with any activity carried out in secret (Eastman 1971, p. 159).²⁵

For the authorities, this secrecy can have dire consequences. Thus, Aseff, the Russian police spy who was born a Jew, arranged for the successful assassination of Plehve, the minister of interior who was initially responsible for hiring him as a police spy. The assassination was apparently a result of Plehve's responsibility for a wave of anti-Semitic pogroms (Nikolajewsky 1934).²⁶ Aseff, of course, covered himself in the reports he regularly filed with police for 15 years.

His secret status offers the informant the opportunity to act in ways that would be avoided by more prudent activists who must contend with arrest. He can swing with the movement and act out the emotions he may feel as a member of a disprivileged group or his general feelings of aggression, without fear of reprisal. For some it may be the best of two worlds. As Frank Donner (1971) observes: "The infiltrator's secret knowledge that he alone in the group is immune from accountability for his acts dissolves all restraints on his zeal."

The Role's Inherent Contradictions

The FBI may ask impossible things of its informants when it advises that they "should be privy to everything going on and should rise to the max-

²⁵ Though the secrecy also leads to problems for police undercover agents, they may get beaten along with other demonstrators in protest situations. Some agents, even those who are sworn police, have expressed their fear of police (*New York Times*, February 4, 1971). A recent shoot-out between two rival gangs in France turned out to have involved agents on both sides, and in Washington police recently killed an undercover agent involved as part of his work in an armed robbery. It has been said, only partly in jest, that in New York City the largest single buyer of heroin (with a budget of \$800,000 for drug purchases) and seller (with the theft and eventual sale by police of millions of dollars of heroin from the French Connection case) is the police department. Undercover narcotics agents may sell drugs to and arrest other narcotics agents. As a matter of policy, agents often do not know who the other police agents are, even in their own group. They may try and recruit and entrap each other. Such questions become much more complex when agents from other countries are involved, as in Joseph Conrad's novel *Secret Agent*. Here the embassy of a continental country seeks to promote English police repression by encouraging bombings because "the general leniency of the judicial procedure here, and the utter absence of all repressive measures are a scandal to Europe" (1965, p. 28). The English police who had good intelligence on "their" anarchists are baffled by this outside intrusion.

²⁶ The assassination of Stolypin, a later minister of the interior, by Bogrov, a Jewish police agent and member of the terrorist wing of the anarchist movement, shows similarities (Wolfe 1961, p. 361).

imum level of their ability in the new left movement," but warns at the same time that they "should not become the person who carries the gun, throws the bomb, does the robbery or by some specific violative, overt act become a deeply involved participant" (*Win* 1972, p. 29). Even when the agent wishes to adhere to the FBI's directive about noninvolvement in such actions, he must face the dilemma that credibility and access come through activism. As Karmen (1974) notes, he must often choose between a passive peripheral role that gives him little information and influence and a more active role that will yield greater information and the ability to affect outcomes with the attendant difficulties of complicity and entrapment. In two-thirds of the 34 cases considered here, the specious activists appear to have gone beyond passive information gathering to active provocation.

The police literature gives rather little in the way of practical suggestions for the informant, aside from advising him not to become involved with women and to minimize emotional involvements generally. Most attention is given to the management of civilian informants.

Given the analysis above and the cases made public, it is not surprising to find an FBI memorandum stating "the key word in informants, according to bureau supervision is 'control'" (*Win* 1971, p. 29). The basic police handbook, Eastman's *Municipal Police Administration* (1971, p. 162), notes that "the non-police informant requires close supervision" and that his information is "often of dubious value." Another police observer advises constant investigation of the informant to determine his "varied and complex" motivating factors and adds that failure to do this invariably leads "to disaster or at least embarrassment" (McMann 1954, p. 44).

Because the informant may lie, exaggerate, misperceive, improperly evaluate, misunderstand his relationship with police, entrap, or be a double agent, police are warned to be careful. Devices for dealing with the problem include placing other agents, whose identity is kept secret, in the same operation; using electronic surveillance on the agent as well as the activists; careful checking; using police rather than civilians as infiltrators; and employing organizational rather than individual responsibility for controlling the agent.

Unlike informants in ordinary criminal cases (excluding organized crime)—who are under the aegis of an individual officer and whose identity may not even be known by supervisors—informants in political cases are more likely to be centrally controlled. Presumably, this factor might introduce more reliability. Recent police literature makes much of the question of who should control the informant. Although noting that the investigator's sole control of the informant protects the latter's security and permits the organization to deny any official knowledge of the illegal transactions that may occur between the informant and policeman, it strongly argues for central control.

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For those who must supervise, however, the problems are more complex than imagined by those who write instruction manuals. In their necessity to respond to bureaucratic pressures to come up with a certain number of arrests or information, they may not always question the quality of the information. The FBI agents must meet a quota of informants and devote a certain amount of time to generating political intelligence, regardless of whether or not any specific crime has occurred or seems imminent. According to one source, they needed at least 12 informants: six criminal, three national security, and three racial (*Newsweek* 1971). Finding the required number of informants may be difficult enough, without having to worry about reliability. When production rates are too high for the means at hand, innovation and reduced concern with quality are likely to emerge. One agent (Wall 1972) reports that to meet his quota he even picked names from a phone book and made up reports for them. But at other times, much bad or useless information may be seen as a reasonable trade-off for the occasional important piece of information it does provide. Also, the supervising policeman or FBI agent is probably less likely to question information about the supposed violent and subversive nature of a group consistent with his previous ideas about them.²⁷ Finally, since entrapment rather than its avoidance may be an end desired by authorities, the quality of the information provided may be relatively unimportant.

EASE OF ENTRY INTO THE MOVEMENT

The agent's entry and rise to a position of leadership in an organization may be facilitated by the structure of that organization: those groups that are dedicated to unpopular or visionary causes are often small, experience high rates of turnover, and lack resources and people willing unselfishly to undertake the routine and time-consuming tasks required of activists, as

²⁷ The faulty information of authorities need not, however, stem only from unreliable informants saying what authorities wish to hear. When informants give accurate information about a group that runs contrary to what authorities believe about the extremist nature of a group, the information may be ignored. An agent charged with infiltrating a group thought to be responsible for bombings in East Los Angeles reported that he heard no talk of violence and the group instead was concerned with self-help, English classes for Chicanos, and eliminating narcotics from their community. In telling this to his police supervisors, he reports being told that his "information was a bunch of bullshit," and "we are going to close that organization down by any means necessary" (*Los Angeles Free Press*, February 4, 1972). In another case, after an intensive six-month investigation of a Black Panther school (involving six informants and physical surveillance), the supervising FBI agent concluded, "The school is a school and we should cease our investigation." In spite of this, a supervisor at the bureau thought the school was being used as a base for training guerrillas and making Molotov cocktails. The response to the agent's lengthy investigation was a special bureau directive stating that "either the agent is naive, he doesn't know how to handle informants or the informants are deluding." The bureau then ordered an even more intensive reinvestigation. The agent resigned (Wall 1974, p. 112).

well as the dangerous and daring tasks that may be called for. The agent often brings badly needed special skills and resources. His ties to authorities may give him an added secret resource. As was the case with tsarist agents in the Communist party, he may be able to rise rapidly to a position of leadership in the organization through arranging for the arrest of its incumbent leaders or those who suspect him.

The particular ideology and organization of many of the black, student, and antiwar organizations of the 1960s undoubtedly facilitated the entry of informants, but probably made it unlikely that the agents could gather information that would be of much use to their employers. Generally speaking, the protest organizations of the 1960s consisted not of highly centralized, formally organized, tightly knit groups of experienced revolutionaries bent on carefully planned criminal conspiracies, but were instead decentralized, with fluid leadership and task assignments, shifting memberships, and an emphasis on participation. Members were generally not carefully screened, and requirements for activism were minimal. This was all the more true in the case of events—such as demonstrations, meetings, and marches—in which anyone could participate. The emergent noninstitutionalized, social movement character of the struggle meant constantly changing plans, shifting alliances, and spontaneous actions. Their ideology stressed peaceful nonviolent means, reform, democracy, openness, an anti-bureaucratic orientation, and optimistic faith in people, tolerance, community, and naiveté about government surveillance. Most groups had nothing to hide. Furthermore, given the lack of a well-developed tradition of political police, most groups initially saw little reason to be suspicious. Unlike people in organized crime, they generally lacked the capacity to retaliate against informants, and kinship networks are not as important for recruitment. Furthermore, the impersonal character of urban life, with its many secondary and superficial relations, may create an atmosphere in which an agent can easily conceal personal information and deceive his fellows. In such a context, those whose allegiances were not to the espoused cause had easy access.²⁸

HOW AGENTS ARE EXPOSED

It appears that a majority of young civilian agents are active for only a short period of time, partly as a function of the rapidly changing nature

²⁸ In the words of one FBI man, it was “easy to infiltrate new left groups since so many volunteers were needed. All one of our FBI informants needed to do was walk into the office and state briefly that he was opposed to the war and wished to volunteer his services. He would seldom be challenged to prove his allegiance to the movement. Then, with little additional effort, he had access to mailing lists, names of contributors, copies of leaflets and handbills, and was able to report in detail on any organizational meetings that might take place” (Wall 1972).

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of current social movements and the mobility associated with youth and schools. But it also results from having met their initial obligation (for those hooked into the role) from fear, guilt, or conversion, and from discovery.

Agents may be discovered when they surface as prosecution witnesses, when they take a public stand to warn of the dangers the movement poses, when they are neither charged nor arrested, or when they are released without bail during, or shortly after, raids. Such factors accounted for exposure in about 60% of the 34 cases. Conversion, or at least enough disenchantment with the role to publicize their former activities, accounted for another 20% of the cases. The final 20% were discovered in one of the following ways: they were recognized by someone who either knew them as a policeman or saw them with police; they revealed their identity in a faulty role performance; or they were denounced by a former ally.

The discovery of an agent may lead to an attack on him, to his expulsion—with great effort made to publicize his real identity—to efforts to make him a double agent or to feed him false information (a tactic favored by Lenin), and, last, to efforts to obtain a court injunction against his presence.

In some cases there may be efforts to convert, understand, and reach out to the agent. In other cases, he may simply be given drudging tasks and denied access to anything but public information.²⁹

Activists often react to the discovery of an agent, or to an accusation against someone, with great ambivalence. The member who attempts to reveal an agent, whether real or imagined, may face countercharges of being an agent or at least of damaging the movement through smear or slander and creating suspicion. Even where the evidence is incontrovertible, some activists will refuse to believe that a trusted colleague could voluntarily betray them.

How Authorities React to Exposure

When confronted with their use of agents, authorities may deny it, or refuse to comment with one of several explanations, chief among them that the agent is a witness in a current or upcoming trial or that they cannot reveal confidential information. They may claim that they have no incentive for using provocateurs because their testimony would not stand up in court. They may accuse activists of scapegoating the police in order to cover their own criminal acts, or, if the police grant that they have indeed

²⁹ One activist recalls that although (or perhaps because “nobody trusted Tommy,” he would be sent to out-of-the-way places “where . . . he couldn’t do any harm” and where other activists “wouldn’t bother to go. There just wasn’t any one else who could get the papers [SDS newspaper and literature] distributed the way he did” (Rosenbaum 1971).

sent agents into the organization, they may argue that it was perfectly legal, that good police practice requires using such agents, or that illegal actions by agents were necessary to gain access and establish credibility in order to prevent more serious crimes from occurring or to solve past ones. They may agree that "the chief cannot know too much about the community, and he dare not know too little" (*FBI Law Enforcement Bulletin* 1962, p. 3). They may stress the importance of preventive action. As one police official interviewed said: "Do you want us to wait until after the President is assassinated and the Post Office is bombed?" If acknowledging that overzealous activity on the agent's part may sometimes occur, they may add (as did the director of a federal investigative agency), "If they do it, it is against our instructions." They may stress that they are interested only in crime and that the politics of a group is irrelevant. Informally, police may argue that the other side does not fight fair so why should they, that the gravity of the threat posed by dissident groups is so great as to justify any means, and that those arrested really are guilty of other serious crimes even if entrapped in the one for which they were arrested. Once discovered, the agent may be hidden, put in protective custody, whisked off to some other part of the country, or to another country, and be given funds to relocate.

MOVEMENT RESPONSES TO INFILTRATION

How seriously organizations view infiltration depends on whether they have anything to hide, the extent of activity against them, and their assessment of what the effects might be. Some activists may not see agents as a threat, or even as a problem. Trotsky believed that the contribution agents could make outweighed the harm they might do because of their lack of inhibitions. Both authorities and activists may view acts of provocation as functional to their ends. For authorities, daring schemes may be seen as a way to stigmatize and legally repress the movement, while the activist may favor daring acts of violence as consciousness-raising events. Repression may be welcomed by activists as a means of radicalizing the masses. Police provocation has a logical parallel in the efforts of activists to provoke police.

Responses to agents may thus vary from ignoring them to the use of rigid security techniques and paranoid suspicion of everyone. Organizations may set up their own spy or internal inspection system to insure the loyalty of members, to investigate newcomers, and to infiltrate those organizations infiltrating them. Most American groups have lacked the resources and the will to do this. Recruits may be required to commit an illegal act to insure their loyalty and bind them to the movement. Code names may be used and only a small part of the organization made visible to any one member

through a system of interlocking pyramidal cells. Special cadres may be named to meet secretly to make important decisions, while the group continues to hold larger meetings in an effort to throw informants off. There may be efforts to infiltrate police and to develop informants among them and other criminal justice agencies. The Panthers apparently stopped accepting new members during one period in an effort to avoid infiltration.³⁰ Other tactics consist of such commonsense guidelines as using public phones and letter drops and urging special efforts to avoid breaking drug, traffic, tax, or weapons laws.

Earlier labor activists were advised to be on guard against those who engaged in hair-splitting debates and those whose actions created internal dissension. They were advised to “adopt the spy’s tactic of keeping his eyes and ears open,” but also “to keep his mouth shut” and “not to talk too much—particularly to the fellow who asks too much” (Huberman 1937, p. 58). Contemporary activists are encouraged to know each other well and to voice their suspicions, even when they involve a close friend, leader, or minority-group person. They are warned that unexplained income, sudden disappearances, difficulty in reaching the person directly by phone, reluctance to discuss one’s personal past, discrepancies in biographical information, extensive knowledge of weapons and self-defense, lack of interest or articulation in politics, or a sudden shift in rhetoric should arouse suspicion. Agents are frequently thought to be faithful and silent meeting goers, who, when asked for an opinion, show either “an abysmal ignorance or indifference to politics” or “a provocateurish flair” (*Ramparts* 1970).³¹ They are thought to favor action over theory.

Activists are advised that “the simplest way to sink an undercover agent is to swamp him with questions about his past—the more the better” (*Ramparts* 1970). A very large number of public and quasi-public records can be used to verify background information.³² In Chicago, after the files

³⁰ According to Bobby Seale (1970, p. 370), “This in itself stopped the CIA-FBI infiltration operation into the Panther party.” One is led to wonder, though, about agents who had slipped in prior to this, as well as regular members who subsequently became hooked as agents.

³¹ However, sometimes a person’s actions and demeanor may be so obvious and stereotyped that activists may find it hard to believe an individual really is the police agent that he so obviously appears to be. One activist reports about Tommy the Traveler (who had short hair, always wore a tie, and could not intelligently discuss politics beyond violent rhetoric): “I guess most of us thought Tommy was just too screwed up even to be a pig” (Rosenbaum 1971).

³² For example, information can be obtained from county assessor’s and recorder’s offices; bureaus of vital statistics and motor vehicles; voter registration files; and court clerks for superior, municipal, small claims, and traffic court. Polk’s *City Directory* lists people’s occupations in most metropolitan areas. Selective Service will provide records with the permission of the person in question, and credit bureaus can be used by a friendly business subscribing to the service. Activists are advised that posing as insurance investigators, employers, or social workers may aid in collecting such

of the 1968 New Politics Convention were looted, a routine credit check revealed two "activists" who were members of the Chicago Police Department.

SOME DIVERSE CONSEQUENCES

The range of consequences which a theory of the agent provocateur must account for can be suggested, even if we are far from a theory able to do this.

The movement may sometimes benefit from the presence of an agent. Specious activists may help perpetuate a protest group by offering the kinds of resources and moral support that are often in short supply among those who take highly unpopular positions and engage in illegal actions. Because of their need to be accepted, agents often work very hard, are often very successful at gaining new recruits for the movement, and even at starting new branches of a movement. Even acts of violence provoked or committed by agents may have consequences quite different from those desired by authorities.

Given the dynamics of social movements, it is sometimes a risky business (from their perspective) for status quo elements to go around provoking protest. In an atmosphere of intense grievances, such as early 20th-century Russia, such actions may backfire.³³ The strategic consequences envisioned by radicals may prove more correct than those envisioned by authorities. Organizations may profit from dramatic events that serve as example and inspiration to others. The subsequent repression of the group may create martyrs and sympathy for it and help to publicize its cause. The exposure of the role of the agent provocateur may further reduce the legitimacy of the government.

Yet the negative effects are more apparent and, on balance, more damaging. Discovery of an agent (and even perpetuation of the myth of the agent) may lead to feelings of demoralization, helplessness, cynicism, and immobilizing paranoia, and can serve to disintegrate a movement—partic-

information. This type of background investigation is most useful for discovering sworn police officials rather than civilian informants, whose biographies may be more or less intact (*Ramparts* 1970).

³³ The case of the Russian police-sponsored labor unions, some of which got out of hand and joined the 1903 general strike; and of Malinovsky, a police agent, close colleague of Lenin, leader of the Bolsheviks inside Russia, and a Duma deputy, are examples. According to Wolfe: "Both police and Bolsheviks set to work with great energy to secure their candidates" [Duma] election . . . the whole machinery of the Department of Interior and its police were mobilized to further Malinovsky's fortunes . . . all the more popular of his possible rivals were eliminated by the simple expedient of throwing them into jail" (Wolfe 1961, p. 542). Malinovsky's actions were a crucial factor in the split between the Mensheviks and the Bolsheviks (a split desired by both police and Lenin), which may have aided the revolution.

ularly if it is loosely structured, as was the case with many movements during the 1960s. When he is not discovered, the agent may encourage internal divisiveness and lines of action that are self-defeating or not in the best interests of the organization. A democratic organizational form may be made impossible. Agents who rise to positions of leadership within the movement may have an important effect in shaping policy.³⁴

The agent may directly or indirectly contribute to the violence and illegality associated with a group by the actions he takes to gain access and to maintain credibility, through his efforts to entrap others in illegal activity, through the often-violent response of activists to his presence when he is discovered and the subsequent counterresponse from authorities, and through the various self-fulfilling effects noted throughout this paper. This can serve to stigmatize the movement as violent, alienate it from its potential constituency, and focus attention away from the basic issues. Its leadership may be decimated through imprisonment and all the movements' resources and energy may have to be put into security, self-defense, and legal needs, even if activists are often not convicted.

The role of authorities in a democratic society in driving groups underground and making them revolutionary (or more revolutionary sooner than they might have been) by denying them the opportunity to retain the reformist stance they so often begin with has been noted before. The Panthers, for example, started as a local reform-oriented self-defense group that became increasingly revolutionary and violent (in self-defense or retaliation). Their subsequent development was certainly a response in part to their internal ideology and the characteristics and wishes of members. But it is as certain that the killing of Panthers by police; raids of questioned legality on their offices; extensive surveillance and use of undercover agents; denial of basic civil liberties—such as the right to make political speeches and distribute their literature; excessive stops for traffic offenses; general harassment; and their stigmatization by national political leaders had an important effect on their subsequent ideology and behavior and helped, to some extent, make true the original police assessments of them as a violent revolutionary group. The FBI, with agents on both sides, apparently played an important role in the split that occurred in the Black Panthers between the Huey Newton and Eldridge Cleaver factions. It is only through studying the interaction between the Panthers and social control agencies that their development can be understood.³⁵

³⁴ In 1922 for example, FBI agent K-97 apparently cast a decisive vote in the secret Communist party conventions of that year regarding whether the party should continue to remain underground. His vote to remain underground broke a tie among the genuine members (Draper 1957, p. 373). According to a former FBI agent (Levine 1962), in the early 1960s about 1,500 of the 8,500 American Communist party members were FBI informants.

³⁵ For a case study of the short, unhappy life of another black group, which started

There is also the issue of deflation. Social scientists, social movements, and history can be deprived of newsworthy events by the actions of police, as well as provided with them.³⁶ Even where the informant plays a passive role, the nature of the group cannot help but be changed by the presence of specious activists. This is true of the participant-observer's role in general.³⁷

LEGITIMIZATION AND JUSTIFICATION FOR AGENTS

As Kai Erickson (1966) has argued in *The Wayward Puritans*, the amount of deviance "found" in a society bears some relationship to the number of officials whose job it is to find it.³⁸ Thus, as facilities for dealing with the crime of "witchcraft" in early America increased, so did the number of "witches" discovered. A society's definition of what mental illness is will partly depend on the extent of its facilities for dealing with it. The more hospital beds, the more personnel available, the greater the amount of mental illness likely to be found worthy of attention. At least this seemed to be the case before the advent of tranquilizers. Similarly, the positive correlation often found between the number of police in a community and

with broad reformist goals, but in the face of police definitions of—and behavior toward—them as violent revolutionaries could not get beyond a public image of being police haters, see Helmreich (1973). For a nonviolent example, Al Gollin (1971) considers the interdependence of authorities and protestors during civil rights marches on Washington.

³⁶ In reporting on the actions of "a great many undercover agents from other cities," mostly belonging to the Treasury Department with "long hair, beards and intimate knowledge of the internal workings of radical politics," who had come to New Haven during a large and relatively peaceful May Day demonstration on behalf of the Black Panthers, former Chief of Police James Ahern (1972, p. 63) reports the following actions which came from the police monitoring of Panther radio communications: "While we watched the Panthers and listened to their radios, we heard them sending orders over the air: 'Go over (to X) and see if you can get something started.' A Panther would detach himself from his group and make his way to a designated location. By the time he had begun his speech, an undercover agent would be there. If the rhetoric seemed to be stirring the crowd toward violence, the agent would attempt to defuse the situation by yelling, 'I thought you guys didn't want any trouble' and 'What do you want to do, get us all killed?'" In another instance a New York detective's surreptitious substitution of fake for real dynamite may have had preventive effects (*New York Times*, March 11, 1971). For the case of two social scientists as counterprovocateurs, see Shellow and Roemer (1966). For an example of "propaganda specialists" and "experienced agitators" intervening as crowd members to divert crowd attention and reduce violence following the Russian Revolution, see Chakotin (1939, p. 40).

³⁷ For example, the three social psychologists whose undercover decision to join a small faltering group predicting the end of the world seemed to give the group a new vitality (Festinger et al. 1956). The student of social movements should be aware of "experimenter effects" as well as of "agent effects."

³⁸ Erickson also makes the better-known and perhaps somewhat contradictory point that the amount of deviance in a society is likely to be relatively constant.

the amount of crime does not lend itself to the simple one-way interpretation that more crime leads to more police. The study of political "crime" might usefully be approached from current perspectives on deviance.

As a society comes to feel increasingly threatened by dissenting groups, perhaps aided by police cries of alarm, it may expand its social control apparatus and in doing so help create new dissent and violence.³⁹ Several things are involved here. Acts that might have once been seen as acceptable no longer are, such as spontaneous gatherings of people in certain areas of a city, being on the streets at night, meetings and marches, buying weapons and ammunition, and placing political symbols on one's person or car. Societal tolerance for dissent may decrease, and new laws, such as those making it a crime to cross state lines with the intent to riot or (as with France's new *anti-casseur* law) blaming everyone present in a riot area for any damage done, may be passed. This action may give the impression of an increase in protest activities when in fact there has simply been a shift in the boundaries of the behavior seen as legitimate. Or new actions may occur to protest the new restriction.

The policing of politics expanded considerably following the mid-1960s, as domestic protest increased and came to focus more on national and foreign-policy issues.⁴⁰ In 1967 the Justice Department urged municipalities to form political intelligence units and to gather information on activists and potential activists. In the spring of 1968 army intelligence greatly expanded its surveillance and recordkeeping on civilians. Police

³⁹ In a broader sense, authorities may also, of course, be seen to cause the protest they deplore by profiting from, and failing to change, the social conditions that led groups to protest.

⁴⁰ Yet intelligence units still appear to be a small part of municipal police operations, though in many cities there was a shift in intelligence resources away from organized crime to political activities. In some cities internal-affairs units took over responsibility. Exact information on the size of such units is difficult to obtain. In 1967, an *American Municipal Yearbook* questionnaire on manpower allocation was sent to hundreds of American police departments. Barely a handful reported on the number of men assigned to their intelligence unit, though almost all indicated how many were assigned to the training division. Police departments often excluded such units from their organizational chart. According to Bouza (1967), in 1967 the New York City police force had about one-fourth of 1% of its force on permanent assignment to the Bureau of Special Services (now called Special Investigations Section). Its workload consisted of about 1,000 fairly intensive investigations a year, evenly divided among "labor investigations, security assignments, and subversive activities." According to one observer in 1971, about 35 of those assigned to this unit were in a "super hush-hush category" assigned to infiltrate organized crime and political groups. None of them had publicly graduated from the Police Academy, and only about one in 50 of those interviewed was chosen as an undercover agent (Daley 1973, p. 486). In the middle 1960s the Chicago red squad had about 30 men assigned to it, many of foreign background. One of its heads was a former tsarist military officer. This seemed to be much less an elite unit than was the case in New York. In London in 1971 the Metropolitan police had about 300 people assigned to their "Special Branch" (a unit first known as the "Special Irish Branch") out of a force of approximately 29,000.

departments expanded, as did the proportion of their force concerned with problems of order. For example, the Los Angeles Police Department's intelligence division more than doubled in size following Watts, and New York's increased by 50% between 1968 and 1971. Numerous cities developed special tactical or intelligence units for dealing with protest groups. In 1970 the FBI added 1,000 new agents and 702 new supporting personnel. Their budget for fiscal 1971 was \$334 million, almost double the figure of four years before (Pincus 1974, p. 76). The increased surveillance may provoke new violence and protest from the group, from the police, or from fearful citizen vigilante groups. In a milieu where authorities and those seeking political office exploit law-and-order themes and equate dissent with subversion, citizens' groups may react with violence against those seen as troublemakers.

Just as there may be personal incentives for the individual agent to drum up business, there may be organizational pressures for the increased use of agents and processing of political dissidence. Such pressures may stem from the bureaucracy's need to perpetuate and justify itself, intra- or interorganizational competition, and the desire of an agency to expand its resources and influence.⁴¹

As the authorities, in their handling of political activities, blur the distinction between crime and politics, police who are already experienced with the use of informants, infiltration, and occasionally entrapment in the area of traditional crime may simply shift their resources and bring their past experience and perspectives to bear on political groups, in spite of important differences between the two phenomena. This is especially likely to be the case, as with the Muslims and the Panthers, where the movement recruits lower-status activists and those with past criminal involvements.

The criminal justice system may be seen to "create" protest and violence (at least in terms of giving them official recognition and perhaps affecting the self-image of protestors in the same way that it "creates" crime and

⁴¹ Such organizational entrepreneurship has clearly been the case with the expansion of the FBI since the beginning of World War I under Attorney General Palmer and later J. Edgar Hoover (cf. Preston 1963). The FBI has no explicit statutory authority for its intelligence-gathering activities. A former FBI agent observes "enemies of the public were created to justify the bureau's role as defender of the 'National Security'" and "to each slanderous name-calling or alarmist leak to the press, Hoover added a soft-spoken if tendentious appeal to Congress for more money and additional personnel" (Wall 1972). A similar situation holds for the laws against marijuana under lobbying pressure from the Bureau of Narcotics (cf. Lindesmith 1967). However, such processes are mediated by other variables, and the situation is more complex than simply that of a voracious bureaucracy which is self-propelled to ever-greater resources and domains. However much of an empire builder J. Edgar Hoover was with respect to political crime, he did not seek very seriously to develop a strong national criminal-police system. The greater difficulty in dealing with organized crime and the potential for corruption of agents have been cited as reasons for his not doing so.

criminals).⁴² This is done by choosing a small number of the infinite variety of men's acts and defining them as violence, and by singling out, labeling, and treating as dangerous or criminal some of those who behave in this way. It is important to study this process of definition where the behavior of some groups is singled out and seen as subversive and violent, while the behavior of other groups (perhaps those holding world views more similar to those of authorities or those backed by powerful interests) is ignored or given less attention. Studying the history of law-enforcement changes in response to the KKK and black protest groups would be instructive here.

However, considering agents provocateurs and the likelihood of entrapment, a new dimension can be added to the labeling perspective on deviant behavior (Becker 1963; Schur 1972). Not only do "moral entrepreneurs" play a role in having certain behavior defined as illegal, but "enforcement entrepreneurs" may then induce certain categories of people to break these rules, or make it appear that they have. The issue of authorities creating the phenomena they set out to control can thus be approached on several levels (Marx 1974).

It is a measure of the relative weakness of the American social control apparatus and the constraints still upon it that evidence must be presented in court that people have actually committed (or plan to commit) the acts for which they are tried. Such evidence is sometimes contrived, but the jury system and review by higher courts offer some protection. This case contrasts markedly with the situation in more authoritarian social control situations, such as with the Stalinist purges of 1936-38, where people were routinely treated as deviants for acts that never occurred (Connor 1972). The kinds of social control machinations observed in this paper are ironically partly a function of the degree of legal rights present in American society. In such a society, however great its failings in some absolute sense, the legal repression of those seen as politically undesirable requires that authorities feel compelled to trick or aid them into actually carrying out illegal actions. It is also worthy of note that the United States is one of the few Western countries permitting a defense of entrapment.

Latent Functions

Yet this very fact helps explain the major latent function of agents. Most of the information gathered by informants never figures in a court case. Two police observers note "the most valuable informer may be the one who never appears in court" (Harney and Cross 1960, p. 17). One FBI

⁴² Or it may be seen uncreate them, as in the Supreme Court's declaring the early sit-ins to be legal, or the legitimacy now granted to labor unions and strikes.

agent (Wall 1972), who resigned after working for 3 years on radical groups, reports that he never came across any evidence that would lead to conviction for criminal violence. The data obtained are often of poor quality and publicly available.

If the use of political informants only very infrequently results in court cases, what then is the justification? The different police agencies using informants make any generalizations difficult. One factor is, of course, the manifest reason that receives some support in law and public opinion—as a defensive and preventive measure against likely violations of criminal statutes. Agents can provide information relevant to the elusive crime of conspiracy, a crime that permits legal intervention before any act actually occurs. But for this to occur infiltration is necessary. Authorities themselves must mobilize the law, rather than responding to the complaint of a citizen (Black 1973). As is the case with victimless crimes (narcotics, prostitution, gambling, homosexuality), where the state rather than an individual is the wronged party, gathering evidence is likely to require greater initiative on the part of law-enforcement officials and the use of undercover agents with the attendant problems of entrapment and self-fulfilling effects. However, successfully prosecuted political conspiracy cases are very rare.

The latent reason (or at least consequence) for using agents may be to harass, control, and combat those who, while not technically violating any laws, hold political views and have life-styles that are at odds with the dominant society. It is difficult to give any other interpretation to a 3-year FBI program of counterintelligence directed against the New Left. According to an internal agency memo from J. Edgar Hoover, “The purpose of this program is to expose, disrupt and otherwise neutralize the new Left organizations, their Leadership and adherents.” Agents are told they “must frustrate every effort of these groups or individuals to consolidate their forces or to recruit new or useful adherents.” They are advised to “take advantage of all opportunities for counter-intelligence,” to “inspire action where circumstances warrant,” and to disrupt “the organized activity of these groups” (*Boston Globe*, December 7, 1973).⁴³

⁴³ Authorities have argued that this was a new program necessitated by the gravity of the threat to internal security posed by students. However, its root assumptions can be seen in testimony Hoover gave to a Senate Appropriations Subcommittee 20 years earlier. He noted then: “Counterespionage assignments of the FBI require an objective different from the handling of criminal cases. In a criminal case, the identification and arrest of a wrongdoer are the ultimate objectives. In an espionage case, the identification of a wrongdoer is only the first step. What is more important is to ascertain his contacts, his objectives, his sources of information, and his methods of communication. *Arrest and public disclosure are steps to be taken only as a matter of last resort. It is better to know who these people are and what they are doing and to immobilize their efforts, than it is to expose them publicly . . .*” (italics added; cited in Barth 1951, p. 151). That the emphasis is placed on secretly immobilizing “their efforts” rather than on arrest or public disclosure—because there may have been no violations of Law—is an issue not considered.

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In another counterintelligence memo Hoover listed his goals as the destruction of the black nationalist movement in the United States. Agents are instructed to prevent coalitions from forming, to prevent “the rise of a messiah,” to neutralize “*potential* troublemakers,” and to prevent black nationalist groups from “gaining respectability” by discrediting them with unfavorable publicity, ridicule, and whatever other means “imaginative” agents could think up (*Washington Post*, March 15, 1974).

Among acceptable and presumably “imaginative” means are programs such as that lauded by Hoover in one city wherein militant leaders were placed in jail for a summer on one trumped-up charge after another until “they could no longer meet bail” (*Washington Post*, March 15, 1974). In a 1970 memo, FBI agents were instructed to plant in the hands of Panthers phony documents (on FBI stationery) that would lead them to suspect one another of being police informers.⁴⁴ Another FBI directive tells agents to question those in the New Left at every opportunity: “It will enhance the paranoia endemic in these circles and will further serve to get the point across that there is an FBI agent behind every mailbox” (*Win* 1972, p. 28).⁴⁵ Means used by the Washington office of the FBI have included: planting stories in the press that violence is expected at peace demonstrations and that the organizers are Communists; printing and distributing

⁴⁴ Louis Tackwood, a highly experienced agent provocateur, describes another variant and some possible consequences of this tactic: “All right, say they bust three brothers or three anyone and place them in the cell with me. We’re there for three days so we get to rapping, then one day I reach in my shoe and pull out three joints and we smoke ’em. We start rapping some more and I say, ‘Do you know that dirty such and such? That dirty bastard is a pig, man. I know he’s a pig because he busted me.’ ‘Oh, yeah!’ they say. Then I tell them all I know about the cat, and I know everything because C.C.S. has told me everything there is about him. That starts it. Now you got three brothers believing it because their ‘information’ came from a righteous brother in the jail they were smoking weed with and he told them this guy was the one who identified him to the police. Now, you see, you have planted the seeds of distrust. Then you start planting a little more. You start busting people all around him. You know they are going to kill him so you just sit and watch. When it happens, you just pick up the two or three men who killed him. . . . You get rid of four brothers at one time plus a public outcry is raised, ‘Get those crazy people off the streets’ (Citizens Research and Investigation Committee 1973, p. 151). According to several sources, Donald D. De Freeze, Field Marshal Cinque of the Symbionese Liberation Army, also worked for C.C.S.

⁴⁵ The response of a police sergeant who played a crucial role in the Meridian incident to Jack Nelson’s (the reporter who discovered the case) inquiry about harassment of the Klan was “we harass ’em all, that’s our job. . . . They’re in constant fear we got somebody set up now. We keep ’em scared to death” (*Los Angeles Times*, February 13, 1970). Apparently sloppy intelligence work may be due to strategy rather than sloppiness. Louis Tackwood notes the effort to create “an atmosphere of the big brother thing. Everybody’s being watched, everybody’s phone is being tapped. First of all, our technology in this day and age is at such a point that when phones are tapped, no one knows about it. And the only reason they let you know there’s a tap on your phone is because they want to create a situation” (Citizens’ Research Committee 1973, p. 156).

leaflets giving false information about where and when peace marchers were to meet; and, in the case of one of the large Washington peace marches, sending a forged letter to its sponsor, the National Mobilization Committee, saying the blacks of Washington, D.C., would not support the march unless a black organization was given a \$20,000 security bond (Wall 1972). Sociologists who have often observed the bickering and conflict among sectarian protest groups holding the same goals, and their ever-present problems of unity, must ask what role "counterintelligence" activities may be playing.

Thus, considerable damage may be done to an unpopular yet legal group without necessarily evoking legal sanctions. Because of the secretive nature of the actions, civil liberties appear to remain intact, and cases that would be thrown out if brought to court never appear.⁴⁶ The use of agents can be seen as one device whereby police may take action consistent with their own sense of justice and morality, independent of the substantive or procedural requirements of the law.

The use of agents can be seen as an example of what Everett Hughes (1962) calls "dirty work."⁴⁷ He argues that societies have a need for "dirty workers." Probably no institution completely lives up to its own rules, and we ironically find legitimacy being maintained at least partly through illegitimate means. Rather than direct involvement, respectable leaders will find it useful to have agents do the "dirty work," and such activities will often be hidden, but viewed ambivalently.⁴⁸ The public may find such activities distasteful yet nevertheless be glad that someone is taking care of the "problem" for them.⁴⁹ The amount of dirty work present will be a function both of how threatened the institution feels and of how large its resources for such activities are (beyond a minimal amount of

⁴⁶ As has often been noted, judicial control of police through the exclusionary rule can only have an effect on police conduct when convictions are sought.

⁴⁷ For police, this comes through very clearly in a novel written by a Los Angeles policeman. In using tactics not in the book to gain information from a criminal, the protagonist states: "I'd always tried to teach him [his rookie partner] and other young cops that you can't be a varsity letterman when you deal with these barfbags. Or rather you *could* be, and you'd probably be the one who became captain, or chief of police or something, but you can bet there'd always have to be guys like me on the street to make you look good up there in that ivory tower by keeping the assholes from taking over the city" (Wambaugh 1972, p. 66).

⁴⁸ This can also be viewed as an aspect of a society's stratification system: one correlate of high status is differential access to information and the ability covertly to affect social outcomes in one's own interest, in the face of legitimizing principles that deny that such things go on.

⁴⁹ With respect to the use of agents, e.g., there is considerable public support. Indeed, James Bond and the FBI-type figures are cultural heroes. Only 14% of a national sample felt that the FBI has "gone too far" in "having agents or informers pose as members of militant protest groups," while 29% felt they had "not done enough," with 24% reporting "don't know" and 33% "about right" (*Newsweek*, May 10, 1971).

dirty work involved in taking care of those who markedly deviate from societal expectations).

Outside the southern United States elaborate political plots involving law-enforcement officials such as appeared in the movie *Z* or characterized the Cato Street conspiracy in England are probably rare. Officially sanctioned provocation and entrapment are most likely when, as in the Meridian or Seattle cases, police are under intense public and political pressure to solve particular crimes and when they are certain those arrested are guilty of other serious crimes for which court evidence is lacking. Here Merton's (1964) perspective on deviance's emerging when means and ends are poorly integrated applies to deviants as well as to police. The detective involved in the Meridian Klan case told the reporter who discovered it: "There is never a good way to handle a case of this type, but this one was handled in the only way possible . . . I sincerely hope you will see and understand my position" (*Los Angeles Times*, February 13, 1970).⁵⁰

Centralized Policing of Politics

The relative openness of American society, historic Anglo-Saxon traditions of civil liberty, and inefficient decentralized law enforcement have helped curtail (at least in a relative sense) some of the abusive police practices characteristic of societies such as France and Russia.⁵¹ However, the ques-

⁵⁰ While the cases reported in this paper should trigger righteous indignation in those respectful of civil-liberties traditions and fairness, I find it hard to take a consistent position, at least at the level of feelings. Following the Meridian incident, a wave of Klan terror involving the bombing of churches and synagogues ended in Mississippi. The killing of three civil-rights workers in the summer of 1964, of Viola Luizza after the Selma-Montgomery march, of Colonel Lemuel Penn in Georgia, and Vernon Dahmer in Mississippi could not have been solved without the help of informers. Undercover activities have been an important factor in the decline of the Klan following both its post-World War II and 1960s' resurgence. A plot against the life of Caesar Chavez was reportedly stopped through the action of a paid informant. The suspected killer was arrested in a set-up when he tried to sell 1,000 amphetamine tablets to a treasury department agent (*New York Times*, January 2, 1971). The Knapp Commission inquiry into police corruption appears to have gathered evidence against police through entrapment techniques similar to those used against drug dealers and radicals.

⁵¹ Concern over this issue has been colorfully voiced for several centuries by the Americans and English. In 1798 a congressman wrote: "The system of espionage being thus established, the country will swarm with informers, spies, delators, and all the odious reptile tribe that breed in the sunshine of despotic power. The hours of most unrespected confidence, the intimacies of friendship or the recesses of domestic retirement, will afford no security." An 1893 history of England notes: "Men may be without restraints upon their liberty: they may pass to and fro at pleasure: but if their steps are tracked by spies and informers, their works noted down for crimination, their associates watched as conspirators—who shall say they are free? Nothing is more revolting to Englishmen than the espionage which forms part of the administrative system of continental despotisms. . . . The freedom of a country may be measured by its immunity from this baleful agency" (cited in Lundy 1969).

tion can be raised as to whether the events noted in this paper are merely one indication of a move toward the more centralized policing of politics characteristic of Europe, or whether they represent merely hasty amateur actions in the face of an exaggerated threat. I think it is the former. The increased centralization of American life, the greater inclusion of previously isolated social and geographical segments of American society, the expansion and creation of new federal and state law-enforcement bureaucracies (the FBI, with less than 100 agents at the start of World War I, now has 25,000 employees), their "professionalization," regional police efforts, and intelligence pooling, and the phenomenal growth of private investigative and policing organizations attest to this. New technological opportunities such as electronic surveillance, rapid communication, and data processing which are making possible the Federal Crime Data Bank are also conducive to it, as are the judicial interpretations of the Nixon Supreme Court.⁵² All of this means greatly increased covert domestic information gathering, or put more boldly, spying. This refers to industrial as well as governmental espionage.

The growing capacity to gather information may also increase the capacity clandestinely to influence events. It is an easy move from gathering information to provocation. Indeed, the temptation must be great to make this move. As organizations become more complex and differentiated and as technical possibilities of surveillance increase, in the face of increased conflict and polarization, the increased use of "dirty tricks" (the phrase favored by those involved in Watergate) is to be expected. Like a society's discovery of alcohol, the fruits of covert information-gathering, once experienced, may be hard to give up. While this paper has been restricted to police and social movements, the phenomenon of undercover information-gathering and covert intervention in a group's activity has significance in many other areas.

To the extent that such trends are real and continue to intensify, social scientists must become increasingly skeptical of whether public events are what they appear to be. A neglected aspect of organizational and political studies is a focus on the interaction that produces the events we seek to explain. In an age where public relations, imagemaking, and media exposure are crucial to the operations and success of many organizations, observers should be sensitive not only to how groups distort their own positions and actions, but also to the role that other groups may play in this. To understand McGovern's nomination in 1972 we must look not only to his grass-

⁵² Supreme Court decisions such as that in the Russell case may help legitimate (as well as encourage new) undercover intelligence operations already ironically made more likely by prior liberal court restrictions on search and seizure, interrogation, and use of third-degree tactics. There are systemic factors operating here, wherein restrictions on one type of undesirable investigative activity may simply generate pressures for the increase in another type.

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roots primary organization or to the strains Democratic voters may have felt, but to the secret campaign of spying, sabotage, deception, and other "dirty tricks" carried on by Nixon forces to help McGovern gain the nomination since he was seen to be Nixon's weakest opponent. A successfully marketed new technical product may represent more than the creativity of the firm's scientists or the aggressiveness of its sales staff. As an occasional scandal indicates, the final score in a sporting event may reflect more than the objective abilities of the teams involved. To understand the recent outbreaks of prison riots, we must look not only to the conditions faced by prisoners, but to the role of guards in engineering and facilitating such events as part of their efforts to embarrass and sabotage the plans of reform commissioners.

There do not seem to be many clear legal, administrative, or moral guidelines with respect to the use of infiltrators. Though as one moves from situations where a serious crime has been committed to those where the group is merely seen as being "dangerous," the use of agents becomes more problematic and more fraught with self-fulfilling and civil liberty-destroying effects.

During the 1930s the actions of labor spies resulted in the Wagner Act, which outlawed the employment of undercover agents to forestall unionization. Some states passed laws requiring operatives to register. Yet this was directed at private firms in the agent business. Such laws seem less likely to be passed with regard to government police.

Various judicial, legislative, executive, and administrative protective measures have been suggested (Elliff 1974; Emerson 1974; Sagarin and MacNamara 1970). With respect to the FBI, these involve prohibiting the use of undercover political agents in a preventive capacity as violations of the First, Second, and Fourth Amendments; subjecting the use of informants to the same restrictions authorities now face with respect to wire-tapping and search and seizure; and the establishment of a domestic intelligence advisory council to monitor intelligence activities.

CONCLUSION

This paper has not intended to grant causal primacy to the role of agents. Indeed, the demonology inherent in such a perspective is particularly unbecoming the careful social scientist. Leaders and organizers (whether specious or not) build social movements only when conditions are appropriate. With the exception of outright frame-ups, when illegal protest actions occur there is obviously an interaction between the agent and other activists involved in the illegal activity. This is what makes entrapment and encouragement such interesting and illusive concepts. Unless certain political themes and tensions are present in a society and/or certain per-

sonality predispositions present on the part of potential activists, the most skilled provocateur may be unable to provoke anyone, and his efforts may merely be viewed with amusement, if not suspiciousness.⁵³

What Blumer (1951) has called a general social movement is something that great men or great agents can neither create, nor, in a democratic context, stop, for that matter. Yet as we move to the origins and development of a given movement in a particular locale, and even more to particular protest events, agents are sometimes more than the epiphenomena they are generally considered. If agents are only one factor among a great many, they are of interest because their importance is all too often unrecognized and because in an ostensibly democratic society the government and its agents are morally and perhaps actually easier to hold accountable than are activists, who may deny all legitimacy to the government.

Understanding the role of agents provocateurs and informants can call attention to the importance of microlevel analysis for understanding social movements and of the need to study movements in relation to their political environments. It can sensitize us to the need to ground our statements about social movements in careful empirical observations and can lead to an appreciation of the interactive and emergent character of much collective behavior beyond the causal impact of history, broad social structural variables, and the personality characteristics and attitudes of activists. On the individual level, one can, in the tradition of Erving Goffman, learn a considerable amount about the delicate problems of identity and self by looking at those who consciously project "false" selves. One can as well apply this perspective to the creation and presentation of "false" public images and events by social movements and their opponents. Such an approach can help further to link the study of politics and deviance implicit in the labeling perspective. The approach also offers an area in which to consider the always-uneasy balance between liberty and order; not the least important, it can call attention to, and perhaps help prevent, some of the violence and violations of civil liberties and due process to which irresponsible agents may contribute.

REFERENCES

- Ahern, J. 1972. *Police in Trouble*. New York: Hawthorne.
American Civil Liberties Union. 1969. News Release. New York, December 24.
Barth, A. 1951. *The Loyalty of Free Men*. New York: Viking.
Becker, H. 1963. *Outsiders*. Glencoe, Ill.: Free Press.
Berger, P. 1966. *Invitation to Sociology*. New York: Doubleday.
Black, D. 1973. "The Mobilization of Law." *Journal of Legal Studies*, vol. 2 (January).
Blackstock, P. 1964. *The Strategy of Subversion*. Chicago: Quadrangle.

⁵³ For example, Tommy the Traveler apparently tried for several years without success to encourage violent actions among the students he came in contact with on the small, isolated, rather nonpolitical colleges in up-state New York.

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- Blumer, H. 1951. "Collective Behavior." In *New Outline of the Principles of Sociology*, edited by H. Lee. New York: Barnes & Noble.
- Boston Globe*. December 16, 1972; April 12, 1973; December 7, 1973.
- Bouza, A. 1967. "The Operations of a Police Intelligence Unit." M.A. thesis, City College of New York.
- Burnham, D. 1972. "40,000 Police Agencies Can Be Wrong." *New York Times Book Review* (July 16).
- Chakotin, S. 1939. *The Rape of the Masses*. London Book Service.
- Chevigny, P. 1972. *Cops and Rebels*. New York: Random House.
- Citizens Research and Investigation Committee and Louis E. Tackwood. 1973. *The Glass House Tapes*. New York: Avon.
- Cleveland Plain Dealer*. May 7, 1972.
- Connor, W. 1972. "Manufacture of Deviance: The Case of the Soviet Purge, 1936-38." *American Sociological Review* 32 (August): 403-13.
- Conrad, J. 1965. *Secret Agent*. New York: Doubleday.
- Cookridge, E. H. 1967. *Set Europe Ablaze*. New York: Crowell.
- Daly, R. 1973. *Target Blue*. New York: Dell.
- Donner, F. 1971. "Theory and Practice of American Political Intelligence." *New York Review of Books* (April 22).
- . 1972. "The Confessions of an FBI Informer." *Harpers* (December).
- Draper, T. 1957. *The Roots of Communism*. New York: Viking.
- Eastman, G. 1971. *Municipal Police Administration*. Washington, D.C.: International City Management Association.
- Elliff, J. 1974. "The Scope and Basis of FBI Data Collection." In *Investigating the FBI*, edited by Pat Waters and Stephen Gillers. New York: Ballantine.
- Emerson, T. 1974. "The FBI and the Bill of Rights." In *Investigating the FBI*, edited by Pat Waters and Stephen Gillers. New York: Ballantine.
- Erickson, K. 1966. *The Wayward Puritans*. New York: Wiley.
- FBI Law Enforcement Bulletin*. 1962. Vol. 31 (October).
- Festinger, L., et al. 1956. *When Prophecy Fails*. New York: Harper & Row.
- Goffman, E. 1972. *Strategic Interaction*. New York: Ballantine.
- Gollin, A. 1971. "Social Control in Non-violent Protest." Paper given at American Sociological Association meetings, Denver.
- Hardy, R. 1972. Affidavit filed on behalf of Camden 28, Philadelphia.
- Harney, M. L., and J. C. Cross. 1960. *The Informer in Law Enforcement*. Springfield, Ill.: Thomas.
- Helmreich, W. 1973. *The Black Crusaders*. New York: Harper & Row.
- Herbert, B. 1970-72. "With a Little Pork from Our Friends." *Rat* (December 12-January 6).
- Huberman, L. 1937. *Labor Spy*. New York: Modern Age.
- Hughes, E. 1962. "Good People and Dirty Work." *Social Problems* 10 (Summer): 3-11.
- Hyde, H. M. 1971. "Was Stalin a Police Spy?" *London Times* (July 10).
- Investigation of S.D.S.* 1969. Committee on Internal Security. 91st Congress, 1st Session. Pt. 5, pp. 1654-1705 of hearings.
- Jacobs, P. 1971. "Investigative Report." Unpublished transcript of Public Broadcasting Television show, October 6.
- Karmen, A. In press. "Agents Provocateurs in the Contemporary U.S. New Left Movement." In *Criminology: A Radical Perspective*. Pacific Palisades, Calif.: Goodyear.
- Levine, J. 1962. "Hoover and the Red Scare." *Nation*, vol. 195 (October).
- Lewis, A. 1964. *Lament for the Molly Maguires*. New York: Harcourt, Brace & World.
- Lindsmith, A. 1967. *The Addict and the Law*. New York: Random House.
- Los Angeles Free Press*. February 4, 1972.
- Los Angeles Times*. February 13 and September 11, 1970.
- Lundy, J. 1969. "Police Undercover Agents." *George Washington Law Review* 37 (March): 634-68.

American Journal of Sociology

- McMann, M. 1954. "The Police and the Confidential Informant." M.A. thesis, University of Indiana.
- Marx, G. 1974. "Cops as Robbers, Crime Facilitators, and Creators of False Records: Ironies of Social Control." Paper read at International Sociological Association meetings, Toronto.
- Masotti, L., and J. Corsi. 1969. *Shootout in Cleveland*. Washington, D.C.: Government Printing Office.
- Meinhausen, D. 1969. "The Changeling: The Story of a HUAC Spy in the Student Movement." *Hard Times*, no. 46 (October 6), pp. 1-4.
- Merton, R. 1974. *Social Theory and Social Structure*. Glencoe, Ill.: Free Press.
- Mills, J. 1973. *Report to the Commissioner*. New York: Simon & Schuster.
- New York Post*. May 23, 1970; December 2, 1970.
- New York Times*. February 16, 1965; August 24, 1967; June 23, 1968; May 8 and 16, 1970; June 7 and 19, 1970; January 2, 1971; February 3, 4, and 17, 1971; March 5 and 11, 1971; June 13, 1971; January 2, 1972; March 16, 1972; October 29, 1972; February 6, 1973; November 1, 1973; and February 13, 1974.
- Newsweek*. 1971. "Hoover's FBI: Time for a Change?" (May 10).
- Nikolajewsky, B. 1934. *Assess the Spy: Russian Terrorist and Police Stool*. Garden City, N.J.: Doubleday.
- O'Flaherty, L. 1961. *The Informer*. New York: Harcourt, Brace & World.
- Pincus, W. 1974. "The Bureau's Budget: A Source of Power." In *Investigating the FBI*, edited by Pat Waters and Stephen Gillers. New York: Ballantine.
- Preston, Jr., W. 1963. *Aliens and Dissenters*. Cambridge, Mass.: Harvard University Press.
- Ramparts*. 1970. "Where Are the Clark Kents of Yesteryear? They Are Infiltrating the Movement, and Here Is How to Get Rid of Them." 19 (December): 39-42.
- Rosenbaum, R. 1971. "Run, Tommy, Run!" *Esquire* 76 (July): 51-58.
- Sagarin, E., and D. MacNamara. 1970. "The Problem of Entrapment." *Crime and Delinquency* 16 (October): 363-78.
- Schur, E. 1972. *Labeling Deviant Behavior*. New York: Harper & Row.
- Seale, B. 1970. *Seize the Time*. New York: Random House.
- Shellow, R., and D. Roemer. 1966. "The Riot That Didn't Happen." *Social Problems* 14 (Fall): 221-33.
- Simmel, G. 1955. *Conflict and the Web of Inter-Group Affiliations*. New York: Free Press.
- Stanhope, J. 1962. *The Cato Street Conspiracy*. London: Cape.
- Taft, P., and P. Ross. 1969. "American Labor Violence: Its Causes, Character, and Outcome." In *Violence in America: Historical and Comparative Perspectives*, edited by Fred Graham and Ted R. Gurr. Washington, D.C.: Government Printing Office.
- Venturi, F. 1966. *The Roots of Revolution*. New York: Grosset & Dunlop.
- University Review*. 1971. "We Bombed in Seattle" (November).
- Wall, R. 1972. "Special Agent for the FBI." *New York Review of Books* (January 27).
- . 1974. "Why I Got Out of It." In *Investigating the FBI*, edited by Pat Waters and Stephen Gillers. New York: Ballantine.
- Waltz, J. 1971. "Staked out for Slaughter." *Nation* (July 5).
- Wambaugh, J. 1972. *The Blue Knight*. New York: Dell.
- Washington Post*. October 9, 1970; October 17, 1971; March 15, 1974.
- Wilensky, H. 1967. *Organizational Intelligence*. New York: Basic.
- Win*. 1972. "The Complete Collection of Political Documents Ripped Off from the FBI Office in Media, Pennsylvania, March 8, 1971" (March).
- Wolfe, B. 1961. *Three Who Made a Revolution*. Boston: Beacon.