

Most noted that Mr. J. Edgar Hoover was in no way related to the former president, while nearly all stated that gangsters, racketeers, and other law-breakers would hail with joy the BI director's replacement, because, quoting one, "they have felt the keen edge of J. Edgar Hoover's efficiency."⁵

So serious did Hoover consider the threat that he even courted his enemies. To his amazement, Senator Burton K. Wheeler, still grief stricken over the death of his longtime friend Tom Walsh, received a visit from the BI director. Wheeler later wrote that some Democrats had suggested that if he "objected to J. Edgar Hoover he would be replaced as director of the Bureau of Investigation." Wheeler added, "Hoover got wind of this talk and came to see me. He insisted he played no part in the reprisals against me. I had no desire to ask for Hoover's head on a platter—and I'm glad I didn't."⁷

Even Felix Frankfurter was used. Hearing rumors that Hoover might be replaced, and well aware that his friend had the new president's ear, on April 14, 1933, Supreme Court Justice Harlan Fiske Stone wrote a very strong letter to Frankfurter listing Hoover's remarkable accomplishments.⁸

On April 22 FDR memoed Frankfurter, "I think I can assure our friend [Justice Stone], whose letters I am returning, that it is all right about Edgar Hoover. Homer Cummings agrees with me." On the twenty-sixth Frankfurter wrote the president, "Many thanks for your chit regarding Edgar Hoover. I have taken the liberty of passing the comforting message on to our friend."¹⁰

If J. Edgar Hoover was appreciative of Felix Frankfurter's intercession on his behalf, he didn't show it; for the rest of his life, Frankfurter remained near the top of Hoover's enemies list.

Frankfurter, however, was not the only one who had the president's ear. When it came to politics, the person closest to the chief executive was Louis Howe. Besides being the brilliant strategist of most of FDR's political victories, Howe was also—Hoover pronounced the term with utter contempt—an "arm-chair criminologist."

There was, according to Raymond Moley, a member of Roosevelt's brain trust and one of Hoover's strongest backers, "tremendous pressure on Roose-

⁵Bureau participation was obvious in at least one letter—that of Representative J. J. McSwain, chairman of the Military Affairs Committee and, perhaps not coincidentally, a friend of General Ralph Van Deman—which stated that "at least fifteen or sixteen . . . out of twenty-four field offices" were "headed by Democrats." Only someone high up in the Bureau could have supplied this information.⁶

⁷Wheeler's recollections of the incident were contained in his autobiography *Yankee from the West*, which was not published until 1962. By this time Wheeler, having become an isolationist and a conservative, had changed his mind about Hoover several times, and he'd change it yet again. According to William Sullivan, who knew Wheeler well, "he started off distrusting Hoover and he ended up distrusting him."⁸

⁸Stone wrote Frankfurter; "He removed from the Bureau every man as to whose character there was any ground for suspicion. He refused to yield to any kind of political pressure; he appointed to the Bureau men of intelligence and education, and strove to build up a morale such as should control such an organization. He withdrew it wholly from its extra-legal activities and made it an efficient organization for the investigation of criminal offenses against the United States."⁹

kins, directing the Federal Relief Administration. As Roosevelt was enormously popular, the strategy of the opposition was to avoid direct attack on him and to represent him as an innocent beguiled by wicked schemers. Certainly it seems time that the old myths about Frankfurter's radical influence should be laid to rest.

To be sure Frankfurter had sometimes in the past been deeply swayed by his humane sentiments and his passion for justice, as in the Sacco-Vanzetti Case, and earlier while serving as chairman of the War Labor Board under President Wilson. But aside from his conviction that the federal government could legally intervene in the economic crisis under the general welfare clause of the Constitution, he never had any fixed social program, least of all a radical one. The concept of change Frankfurter absorbed from his older friends Brandeis and Holmes was pragmatic and evolutionary. In fact he strongly advised against the collectivist plans of the NRA to drop antitrust surveillance, although Roosevelt for several years ignored such advice. In essence he was a Brandeisian-Wilsonian liberal of the 1912 vintage.

I remember meeting Frankfurter at a cocktail party in Connecticut given by his old friends the Beards. It was a few months before his (expected) appointment to the Supreme Court. He buttonholed me at once, as if he had known me all his life, exclaiming impetuously: "Mr. Josephson, why must you young men be so impatient and seek to change everything all at once? Don't you realize that these things *take time*, that it is far better to move slowly, without doing violence to democratic tradition?" It was in this spirit that Felix had worked with leaders of the establishment such as Henry L. Stimson and Eugene Meyers, ever pinning his hopes upon the better element.

II.

I was gathering in a good deal of the folklore already accumulating around the New Deal while preparing my articles on General Johnson and the NRA. It was my method in such investigations to try to permeate a situation rather than start