

**SMEDLEY D. BUTLER
AND THE MILITARISATION OF THE
PHILADELPHIA POLICE, 1924-1925**

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Abstract:

The importance of the military as a police model in the U.S. had been eliminated, for the most part, from criminal justice and police studies until the 1980s-1990s, even as the professional model was studied extensively. The military, however, had been a strong presence since at least the turn of the last century. As reformers from that time began to fight against machine rule in city after city, they often adopted the military paradigm as their police model, and sought those with military backgrounds to head police departments. The new mayor of Philadelphia chose a Marine Brigadier General, Smedley D. Butler, to head his Department of Public Safety. Butler has become the prime example of the military model gone to extreme. But, while the military model per se has been replaced by the professional model, much of its underlying understanding of police practice has been incorporated into American policing today.

Keywords: policing, police models, military models, Philadelphia police, Smedley D. Butler

Introduction

The importance of the military as a police model in the U.S. had been eliminated, for the most part, from criminal justice and police studies until the 1980s-1990s, even as the professional model was studied extensively. At that time several scholars began to analyze the state of police activities with regard to the military as something new, mainly confined to the integration of military hardware and tactics into police SWAT units.² The

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² Peter Kraska has been a dominant voice in this area: Peter Kraska, 'The Police and the Military in the Post-Cold War Era: Streamlining The State's Use of Force Entities in the Drug War,' *Police Forum* 4(1) (1994) pp.1-8; Peter B Kraska, 'Militarizing the drug war: A sign of the times,' in Peter Kraska (ed.) *Altered States of Mind: Critical Observations of the Drug War* (New York: Garland Press, 1993); Peter B Kraska, 'Enjoying Militarism: Political/Personal Dilemmas in Studying U.S. Police Paramilitary Units,' *Justice Quarterly* 13(3) (1996) pp.405-429; Peter B Kraska, 'Researching the Police-Military Blur: Lessons Learned,' *Police Forum* 14(3) (2005) pp.1-11; Peter B Kraska and Louis J Cubellis, 'Militarizing Mayberry and Beyond: Making Sense of American Paramilitary Policing,' *Justice Quarterly* 14(4) (1997) pp.607-629; Peter B Kraska and Victor E Kappeler, 'Militarizing American Police: The Rise and Normalization of Paramilitary Units,' *Social Problems* 44(1) (1997) pp.1-16; Other scholars who have also addressed this issue include: Catherine Lutz, 'Making War at Home in The United States: Militarization and the Current Crisis,' *American Anthropologist* 104(3) (September 2002) pp.723-735; David Kopel and Paul Blackman, 'Can Soldiers Be Peace Officers? The Waco Disaster and the Militarization of

military, however, had been a strong, if not academically discernible, presence since at least the turn of the last century. As reformers from that time began to fight against machine rule³ in city after city, they often adopted the military paradigm as their police model, and sought those with military backgrounds to head police departments.⁴

Smedley D. Butler, an active Brigadier General in the Marine Corps, was one of a number of military and ex-military men who were chosen for this purpose. Others included Theodore Roosevelt of New York City, General Francis V. Greene of New York, Colonel James W. Everington of Los Angeles, and Major Metellus L. C. Funkhouser of Chicago. This article examines Butler's tenure as an example of the military model of police reform, as he was one of the few to take the model to its logical, even excessive, conclusion.

Butler's militarisation of the Philadelphia police got underway at the beginning of January 1924 when he was sworn in as head of the Department of Public Safety. The new mayor, W. Freeland Kendrick, wanted a strong figure to clean up the department and Butler fit his criteria. His decision to pick Butler was based on his desire to reinforce his reform credentials. While Kendrick ran on a reform agenda, his background was as a prominent member of the Philadelphia machine. In fact, it was because of its support that he won the mayoralty. With this history, many Philadelphians thought his pledges to clean up the city were hollow.⁵

American Law Enforcement Period,' *Akron Law Review* 30(4) (1997-1998) pp.619-660; Diane Cecilia Weber, *Warrior Cops: The Ominous Growth Of Paramilitarism In American Police Departments* (CATO Institute, August 1999) pp.1-14; Daryl Meeks, 'Police Militarization in Urban Areas: The Obscure War Against the Underclass,' *The Black Scholar* 35(4) (Winter 2006) pp.33-41; Michael Welch, Nicole Bryan, and Russell Wolff, 'Just War Theory and Drug Control Policy: Militarization, Morality, and the War on Drugs,' *Contemporary Justice Review* 2(1) (1999) pp.49-76.

³ A machine is an urban organization that controls the activities of a political party. In Philadelphia in the 1920s, this was the Republican Party. It provided social services and jobs to a population of immigrants and the dispossessed in exchange for votes. A machine is run by a boss, or several bosses, often in contention with each other, who in turn control the police and local politicians. The boss may or may not be a politician himself.

⁴ Ellen C Leichtman, 'Complex Harmony: The Military and Professional Models of Policing,' *Critical Criminology*, 16(1) (2008) pp.53-73.

⁵ Arthur P Dudden, 'The City Embraces 'Normalcy' 1919-1929,' in Russell F Weigley, (ed.) *Philadelphia: A 300-Year History* (New York: W. W. Norton & Co., 1982) pp.566-600, pp.570-571, p.577; Austin F. MacDonald, 'General Butler Cleans Up,' *National Municipal Review* 13(7) (July 1924) pp.367-373, p.367.

Butler was one of the most decorated soldiers in the history of the U.S. Marine Corps, and was in line to become its commander. At 42, he was a veteran of 14 campaigns and held both the Navy Distinguished Service Medal and two Congressional Medals of Honor. He had fought in the Spanish-American War and the Boxer Rebellion, and had seen action in Haiti, Nicaragua, Panama, and Mexico, and was to be promoted to Major General that April. Theodore Roosevelt had named Butler as the consummate soldier.⁶

At first, Butler was not sure he wanted the position. He was not interested in politics, and definitely did not want to resign from the Marine Corps. He made it clear to Kendrick that he was a Marine first, and would only consider taking the position if ordered to by his superiors, in this case the President of the U.S. and the Secretary of the Navy, as he had no intention of asking for a leave of absence. Kendrick took a delegation to Washington and was able to persuade the president.⁷

As a military man high up in the Marine command structure, Butler was used to unrestricted power. In no uncertain terms, he told Kendrick that he would not accept the position as Head of Public Safety if he got anything less. He was concerned, with good reason, that the two main political bosses of Philadelphia, Congressman William S. Vare and President of the City Council Charles B. Hall, would block any reform efforts he would try to incorporate. Butler could not believe that the machine would allow the police to be separated from politics. But Kendrick assured Butler that while his fears had merit, he, Kendrick, would be a solid supporter of Butler and run interference for him.⁸

This turned out to be a promise Kendrick could not keep. He not only could not control the hostility between the machine politicians and Butler, which played out in the press, but he had his own problems with the Marines. The Council, under the leadership of Hall, held the purse strings for the Department of Public Safety, which meant it could stop or delay the implementation of Butler's projects. Vare had control of many magistrates, which caused Butler headaches especially with respect to his vice raids. While Butler closed speakeasies and saloons, and arrested hundreds during his vice

⁶ *Public Ledger*, 2 December 1923; Lowell Thomas, *Old Gimlet Eye: Adventures Of Smedley D. Butler* (New York: Farrar & Rinehart, 1933, 1981); MacDonald, 'General Butler Cleans Up', pp.367-368.

⁷ *North American*, 26 November 1923; *Evening Bulletin*, 3 December 1923; Thomas, *Old Gimlet Eye*, pp.263-265.

⁸ *Evening Bulletin*, 4 December 1923; Thomas, *Old Gimlet Eye*, pp.264-265.

raids, magistrates failed to sustain the charges. These became major problems, not only between Butler and the machine, but also between him and the public, and consequently him and Kendrick.

1 The Philadelphia Department of Public Safety

The history of the department gave credence to Butler's opinion. During the nineteenth century, millions of impoverished, illiterate, and unskilled Europeans immigrated to the United States, often settling in large cities like Philadelphia, forming ethnic enclaves. The private sector offered little to these newcomers in the way of job opportunities, so many sought and found work in the newly forming city bureaucracies such as police and fire bureaus within Departments of Public Safety. There were no qualifications necessary to become a policeman. The men were not given any schooling in the law, nor training after they were hired.⁹ The most defining feature of the American police, through the first third of the twentieth century, was their relationship to local political machines. It was the police who controlled the polls at election time, and who were the bag men for their superiors. As far as machine politicians were concerned, the police were a legitimate and integral part of ward politics. This belief manifested itself every time there was a political turnover, which caused a substantial, if not a complete, change in police department personnel.¹⁰

Philadelphia was a prime example of the police-ward connection. It was a highly decentralized city, run along ward lines. Police districts had been constructed to correspond exactly with political wards. As long as district captains deferred to their ward leaders, they were protected. The Director of Public Safety had no power against this arrangement, and was usually a machine appointee himself. The machine controlled not only the Department of Public Safety, however, it also held sway over many of the other institutions that ran the city and the criminal justice system such as the civil service commission, the police board, the city council, the mayor's office and the prosecutor's

⁹ Mark H Haller, 'Historical Roots of Police Behavior: Chicago, 1890-1925,' *Law and Society Review* 10 (Fall 1975) pp.305-306; Robert M Fogelson, *Big-City Police* (Cambridge, MA: Harvard University Press, 1977) pp.18-19; Samuel Walker, *A Critical History of Police Reform* (Lexington, MA: Lexington Books, 1977) pp.3-31; Leichtman, 'Complex Harmony,' pp.55-56.

¹⁰ Haller, 'Historical Roots,' p.305; Fogelson, 'Adjunct of the Machine,' in *Big-City Police*, pp.18-19; Walker, *A Critical History*, pp.8-14; Richard C Wade, 'Violence in the Cities: A Historical View,' in Kenneth T Jackson and Stanley K Schultz (eds.) *Cities in American History* (Lexington, KY: University Press of Kentucky, 1972) pp.477-378; Leichtman, 'Complex Harmony,' p.56.

office.¹¹

There has always been a question about just what the duties of the police should be, even after reform.¹² In the nineteenth century, it was generally accepted that one of the primary functions of the police was the maintenance of public order. Aside from that there was little consensus. As departments developed, they became involved in a wide range of activities including: street cleaning, inspecting boilers, investigating vegetable markets, operating emergency ambulances, and licensing saloons, restaurants, masque balls and lodging houses. Often they were in charge of dog catching and the pound, the censorship of movies, licensing junk gatherers, newsboys and peddlers, and performing the duties of sealer of weights and measures. Fundamental to all these activities, besides that of order maintenance, was one common principle: they were to be a reactive, not a proactive, force. It was the duty of the police to respond to complaints or requests for assistance, not to seek out infractions. Urban police departments were responsive, catchall agencies.¹³

The Philadelphia Department of Public Safety in 1923 was no exception. Defined in the Bullitt Bill of 1885, it was in charge of 'the care, management, administration and supervision of the police affairs, and all matters relating to the public health, to the fire and police force, fire alarm telegraph, erection of fire escapes, and the inspection of buildings and boilers, markets and food sold therein.'¹⁴ This paralleled the myriad of professional backgrounds from which the men who made up the Philadelphia police came before they decided to go into policing. These included shipbuilding, carpet making, musician, tree culturist, electrician, trolley conductor, and undertaker.¹⁵

¹¹ Haller, 'Historical Roots,' p.307; Timothy J Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W. W. Norton & Co., 1992), p.252; Fogelson, *Big-City Police*, pp.23-25.

¹² Egon Bittner, 'The Functions of Police in Modern Society,' in Carl B. Klockars and Stephen D. Mastrofski (eds.) *Thinking About Police: Contemporary Readings* (Boston, MA: McGraw-Hill, 1991) pp.35-51.

¹³ Raymond B Fosdick, *American Police Systems*, (Montclair, N.J.: Patterson Smith, 1969, 1920), pp.211-212; Walker, *A Critical History*.

¹⁴ *The Bullitt Bill*, (December 1886), p.10; 'Philadelphia City Charter,' (Greater Philadelphia Movement, 1919), p.9.

¹⁵ *Inquirer*, 6 January 1924.

2 Police Reform and The Progressive Era

The movement for police reform was part of the larger Progressive Era's push to eradicate what many considered to be society's ills. The people who belonged to this movement mostly came from the middle-class and had observed the results of unrestrained capitalism during the Gilded Age.

While the historiography of the Progressive Era has been replete with examples of the disparity among progressives and progressive groups, to the extent that some historians despaired of calling it a movement,¹⁶ historian Glen Gendzler posits that people would not have called themselves progressive if there were not a unifying concept that connected them. He points out that progressives rejected the conservative principle of individualism inherent in the Gilded Age's embrace of social Darwinism and free market capitalism. They especially abhorred the hypocrisy evident in the conservative position to refuse state interference on the part of the lower- and lower-middle classes, for example, workers, immigrants, and the poor, and on issues such as the environment and urban planning, while supporting it to further the power of corporations through such acts as excise taxes, eminent domain, subsidies, and government contracts. Progressives did not see how progress would come through the ability of businesses to have free reign to do as they pleased. As they understood it, the marketplace was skewed toward the powerful, against which the smaller enterprises could not compete.¹⁷

Instead, progressives pushed to use state power on behalf of what they considered to be the common good. This was a time when the country shifted from the superficial, but extreme, political party loyalty of the Gilded Age to a decline in both party identification and voting practices. People stopped using political parties to promote their programmes and instead, formed many new, independent"pressure groups, such as women's clubs, labour lobbies, civic leagues, and professional associations that focused on particular issues. In criminal justice, one of the most famous of these groups was the Chicago

¹⁶ To name just a few: Peter G. Filene, 'An Obituary for "The Progressive Movement,"' *American Quarterly* 22(1) (Spring 1970) pp.20-34; Daniel T. Rodgers, 'In Search of Progressivism,' *Reviews In American History* 10(4) (December 1982) pp.113-132; Robert H Wiebe, *The Search For Order: 1877-1920* (New York: Hill and Wang, 1967); Arthur S. Link, 'What Happened to The Progressive Movement in the 1920's?,' *The American Historical Review* 64(4) (July 1959) pp.833-851.

¹⁷ Glen Gendzel, 'What The Progressives had In Common,' *The Journal of the Gilded Age and Progressive Era* 10(3) (July 2011) pp.331-333.

Woman's Club, which established the juvenile court.¹⁸

At the same time, local, informal groups, which had been part of the fabric of small town American life, morphed into large, bureaucratic, formal organizations. The people who comprised these institutions believed in a strong centralized government, and the social efficiency of professionally run corporate bureaucracies. The Anti-Saloon League (ASL), the national organization dedicated to passing a prohibition amendment, was a prominent example of this.¹⁹

The progressives were a homogeneous, middle-class, Protestant group. As the cities grew, many of them began to yearn for a small-town past that had existed mostly in their imaginations. These towns were conceptualized as homogenous villages, where everyone knew everyone else, and looked after each other. While small towns still existed throughout the country, progressives bemoaned the fact that these traits could not be transferred to urban living.²⁰ Actually many of these traits could be found in urban immigrant neighbourhoods. But progressives could not transfer their idealized image of small-town living to a 'foreign' environment. The small-towns they had envisioned were based on Anglo-Saxon, Protestant ethics and culture, not the Catholic Italian and Irish, eastern European Jewish, and other customs of the immigrant neighbourhoods, which did not hold with many of the sumptuary laws, especially that of Prohibition, so dear to the progressives' hearts. They also did not support the urban machines. While progressives wanted the state to employ its power on behalf of the people, they differentiated between what they defined as the 'common good' and state control under the corrupt urban bosses.

The state rule many of them envisioned was based on a strict Protestant moral code that

¹⁸ Daniel T. Rodgers, 'In Search of Progressivism,' *Reviews in American History* 10(4) (December 1982) pp.116-117; James J Connolly, 'The Public Good and the Problem of Pluralism in Lincoln Steffens's Civic Imagination,' *The Journal of the Gilded Age and Progressive Era* 4(2) (April 2005) p.125; Graham Parker, 'The Juvenile Court Movement: The Illinois Experience,' *The University of Toronto Law Journal* 26(3) (Summer 1976) pp.253-306; Janis Appier, *Policing Women: The Sexual Politics of Law Enforcement and the LAPD* (Philadelphia, PA: Temple University Press, 1998), p.13.

¹⁹ Robert H Wiebe, *The Search for Order*; Daniel T. Rodgers, 'In Search of Progressivism,' *Reviews in American History* (December 1982), 10(4), p.117; Thomas R Pegram, *Battling Demon Rum: The Struggle for a Dry America, 1800-1933* (Chicago: Ivan R. Dee, 1998); Daniel Okrent, *Last Call: The Rise and Fall of Prohibition* (New York: Scribner, 2010).

²⁰ Gendzel, 'What The Progressives had in Common,' p.336.

prohibited drinking, gambling, prostitution, and Sunday business. Many focused on what they defined as a unified public interest, concerned with social reform, social welfare, workers' rights, and the environment. This also led them to the concept of one law for all. Others focused on city services, including water, electricity, sanitation, and police, an efficiently and professionally run City Hall, and the growth of a merit based city civil service and bureaucracy. They placed a great deal of importance on efficiency, cost-effectiveness, and statistical standards for measuring success.²¹

The machine, on the other hand, stressed the services it could provide for its constituents, mainly immigrants, including finding jobs for people, and interceding with legal authorities when these services were not available through the government or private business, in return for party loyalty. It also upheld the cultures of the people who lived in the neighbourhoods. This included drinking and gambling. Prohibition played a significant part in the organization of crime into the national networks needed to ship alcohol, store it, and move it around the country. These networks were called crime syndicates. Although not as well known as the gangs in Chicago or New York, the Philadelphia/New Jersey crime syndicate nexus was a major hub for alcohol distribution.²²

Butler subscribed to progressive beliefs. He accepted the construct of the social good of a centralized government and a hierarchical police bureau. He focused on efficiency and the use of technology as major tools in the battle against crime. The way he measured his success was by the number of arrests his men made, and they measured in the thousands by the time he left office. He also felt he was the man to whip the Philadelphia police into shape when others could not.

But the results of the push for a common good often led to the rejection of individual rights and freedoms. Under the guise of science, reformers conducted studies that veiled ethnic and economic racism, and gender discrimination. While reformers disagreed on

²¹ Connolly, 'The Public Good,' 479-482; Gendzel, 'What The Progressives had in Common,' 334-336.

²² Bruce M Stave, John M Allswang, Terrence J McDonald, and Jon C Teaford, 'A Reassessment of the Urban Political Boss: An Exchange of Views,' *The History Teacher* 21(3) (May 1988) pp.293-312; Joel A Tarr, *A Study in Boss Politics: William Lorimer Of Chicago* (Urbana: University of Illinois Press, 1971); Joel A. Tarr, 'J. R. Walsh of Chicago: A Case Study in Banking and Politics, 1881-1905,' *The Business History Review* 40(4) (Winter 1966) pp.451-466.

many of the reasons that accounted for the dirty streets, crime, fires and a host of other city problems that infested the cities, they agreed that a major cause of these problems was the influx of foreign immigrants and their refusal to adopt American values and attitudes. Some reformers turned to eugenics as scientific proof of racial deficiency. To them, the prosperity of America lay in raising the educational, social, and economic levels of personnel in municipal administrations and improving the quality of urban services.²³

To accomplish this, the reformers needed a governmental body that would enforce their vision of society. Their answer was to turn to the police and courts. But this would entail fundamental shifts in both the composition of the police and their mission. The police had to reject being a political arm of the machine and become an objective, independent body that was dedicated to the enforcement of the law. This meant an entire revamp of the police force according to new military/professional standards. What reformers did not acknowledge was that their idea of law enforcement was just as politically based as the machine's.²⁴

3 Police Models

Reformers concentrated on two police models: the professional and the military.²⁵ The professional model, which came to prominence in the 1920s-1930s, had its roots in the Progressive Era, and is heavily identified with August Vollmer. It focused on the

²³ Donald K. Pickens, 'The Sterilization Movement: The Search for Purity in Mind and State,' *Phylon* (1960-) (Quarter 1967), pp.78-94; Thomas C. Leonard, 'American Economic Reform in the Progressive Era: Its Foundational Beliefs and Their Relation to Eugenics,' *History of Political Economy* 41(1) (Spring 2009) pp.109-141; Barbara M Hobson, *Uneasy Virtue: The Politics of Prostitution And The American Reform Tradition* (Chicago: University of Chicago Press, 1990); Yoosun Park and Susan Kemp, "Little Alien Colonies": Representations of Immigrants and Their Neighborhoods in Social Work Discourse, 1875-1924,' *Social Service Review* 80(4) (December 2006) pp.705-734; Jon C Teaford, 'New Life for an Old Subject: Investigating the Structure of Urban Rule,' *American Quarterly* 37(3) (1985) pp.346-356; Fogelson, *Big-City Police*, p.43; Walker, *A Critical History*, p.53.

²⁴ Haller, 'Historical Roots', pp.303-323; Walker, *A Critical History*, pp.33-49; William J. Stuntz, 'The Substantive Origins of Criminal Procedure,' *The Yale Law Journal* 105(2) (November 1995) p.435.

²⁵ Fosdick, *American Police Systems*, p.246; Joseph Woods lays out Vollmer's reorganization plan of the LAPD in his dissertation. It is structured into eleven 'divisions.' Each division was to be headed by an 'executive.' Joseph Gerald Woods, 'The Progressives and the Police: Urban Reform and the Professionalization of the Los Angeles Police,' unpublished PhD thesis, University of California, Los Angeles, 1973, pp.174-175; New York Bureau of Municipal Research, *Business Methods of New York City's Police Department* (New York: Bureau of Municipal Research, 1909).

educated crime fighter, who both aggressively used science in his pursuit of the criminal, and was deeply active in the community. Vollmer instituted the first formal police training programme in the country, the Berkeley Police School in 1908. For Vollmer, the ideal police officer would be one who already had a college education and who would then be further trained in technical skills after induction into the force. For these reasons, he tried to attract college-educated men to his department.²⁶

Vollmer's dedication to science and technology went hand-in-hand with his interest in education. He pioneered efforts to use laboratory science to apprehend criminals, accepted the social science theories of his day and focused on technological advances to increase response time. Early on, he subscribed to the reform position that the police should be proactive. He was the first chief to use bicycles and by 1914 had instituted the full use of cars. He also installed the first car radio.²⁷

At a time when reformers were trying to gain control of the cities, however, the model that most interested them was that of the military. While there was substantial overlap between the professional and military models in that both insisted that the police be autonomous, be subject to physical requirements, and use the latest technology to defeat crime, there was a difference in focus. For the military model, the city and its police represented the nation and its standing army. People who broke the law were equated to enemies of the state, not citizens, and became *persona non grata* in their own country. To fight these adversaries, the uniformed branch of the police and the detectives (the non-uniformed branch) were equated to different services of the military. Illegal behaviour was seen as an attack on the American way of life. To save the country, the police had to engage in a 'war on crime.' Needless to say, many cities began recruiting military men to run their departments.²⁸ Reformers then focused on three main, related recommendations for structuring the police. First, they wanted to centralize police authority and give chiefs a capable staff that was independent and autonomous from machine interference. Second, they instituted age and health requirements, martial discipline, and physical and educational exams, as it was vital to change the job from

²⁶ Gene E Carte and Elaine H Carte, *Police Reform in The United States: The Era of August Vollmer, 1905-1932* (Berkeley: University of California Press, 1975) pp.2-3, pp.27-29, p.43.

²⁷ Nathan Douthit, 'August Vollmer: Berkeley's First Chief of Police, and the Emergence of Police Professionalism,' *California Historical Quarterly*, 54(2) (Summer 1975) p.108.

²⁸ Leichtman, 'Complex Harmony,' 53-73; Fogelson, *Big-City Police*, pp.40-57.

one of patronage to one of merit. Third, they narrowed the police function to focus on law enforcement and the war on crime.²⁹

Butler did his best to implement these fundamental changes through many unconventional and innovative plans. But the result was not what he expected. He did not get a unified military force ready to do battle for the soul of Philadelphia. Instead, the rank-and-file remained part of the machine. As soon as Butler left Philadelphia, the bureau reverted back to its old ways. Only three years later, in 1928, a Special Grand Jury was convened to address major police corruption and collaboration with bootleggers and local politicians. Butler believed in the letter of the law whether or not it was a good law, and whether or not it could be enforced. His bad luck was that he agreed to serve as Head of Public Safety in the middle of Prohibition. Butler himself did drink upon occasion, but he pledged to uphold the prohibition laws. Most of Philadelphia's constituents did not. They and the rank-and-file fought him at every turn as they sabotaged his plans as best they could and retained their connections to ward bosses, bootleggers, and crime syndicates.

It also turned out that Butler did not have the luxury of time as Kendrick dismissed him after his second year on the job. Almost from the beginning, the two clashed. Butler, a publicity hound, became the darling of the reform press, which did not sit well with Kendrick. Added to this was Butler's lack of political acumen. Kendrick knew the machine politicians well as he had been one of them and did not want to antagonize anyone he did not have to. In the end, his attempt to straddle the political middle did not work, and Butler's lack of diplomatic insight made Kendrick's position even weaker. The final straw came when Butler raided a Christmas party in the Ritz Carlton Hotel for prominent Philadelphians. The outcry from this was insurmountable. Kendrick fired Butler and appointed the Assistant Director of Public Safety to the position.

Butler's First Month

The first month Smedley D. Butler was the Director of the Department of Public Safety, he reorganized the police bureau, conducted several 48 hour long raids on vice, which resulted in the closure of 75 percent of Philadelphia's saloons, demoted, suspended and promoted officers, began training and equipping his force, introduced new physical,

²⁹ Fogelson, *Big-City Police*, pp.57-61.

mental and age requirements, and addressed salary increases under a merit system of advancement. It was a busy time. He also selected George W. Elliott to be the Assistant Director of Public Safety, the second highest position in the department. Elliott had been Fire Marshall in the Department of Public Safety under the previous three administrations and had not been active in politics. He then asked all other bureau heads to submit their resignations, except Superintendent William B. Mills, the current head of the police bureau. At this point, he announced that he and Elliott were to be considered equals, which effectively split the department in two. This enabled him to focus solely on the police, while allotting the rest of the department to Elliott: fire, electrical, elevators, and boiler and buildings inspection.³⁰

On 8 January both Butler and Kendrick spoke before Philadelphia's uniformed policemen. As the Philadelphia North American phrased it, 'General Butler paid the men before them [Butler and Kendrick] the highest compliment he could by talking to them like Marines.' In fact, what he said was:

I was told a month or so ago that it wasn't worth while to talk to you; that when I saw you I would see you weren't like marines. I was told that you wouldn't understand and that you were not that kind of men, but, by God, you are. I don't believe you are crooked. I won't believe it. There have been conditions surrounding you under which nobody could get away with the situation and make it run.³¹

While he was praising his men, however, he was not putting them on the honour system. He had a newly formed squad of 300 trusted men who were to act as spies on their fellow police officers. The reform-oriented news media considered this a highly positive step. While they agreed that informers were not usually among the most popular men on the force, in this instance, they said, it should be considered different because Philadelphia was now like a country at war and Butler's trusted men were compared to wartime spies.³²

4 Police as Marines

Butler envisioned the Philadelphia police as a miniature Marine Corps. This meant he wanted them free of machine interference; he wanted them younger and able-bodied; he

³⁰ *Inquirer*, 3, 4, 7 January 1924; *Evening Bulletin*, 6, 7, 10-12 January 1924; MacDonald, 'General Butler Cleans Up,' p.369.

³¹ *North American*, 8 January 1924.

³² *Evening Bulletin*, 9 January 1924.

wanted them in uniform; and he wanted them trained.³³

Age and Physical Requirements

To upgrade the force, Butler adopted the Marine Corps principles in hiring. The average age of a Marine was 21 while that of a Philadelphia police officer was in the 50s. For the force to be lean and ready, this had to change. To do this, Butler initiated a high physical standard for the men, which would help eliminate the older men, supplemented with periodic examinations to ensure compliance.³⁴ To get started on this, Butler ordered his lieutenants to report who in their districts were unfit for service. In a force of approximately 3,500, the lieutenants listed around 700 men. Butler then had these men take a physical examination, which consisted of testing their lungs, hearts, vision, and hearing. They were then asked to walk rapidly up and down a hallway. After these basic exercises, almost all were deemed unfit for an eight-hour patrol.³⁵ As a result, 500 of the 700 men tested were dropped from the force. Then that April, he reduced the age limit for police applicants from 38 to 30. At that time, over 600 men were over the age of 60.³⁶

Uniforms

Police uniforms had been a contentious issue for many years. In the early years of the country, Americans saw their Revolution as a fight between power (the British) and liberty (the American ideal). For them, the British army of redcoats personified this power, and the American fight to maintain independence depended on vigilance against this power's infringement. To the American public, even 100 years later, a police force that resembled a standing army, symbolised by a uniform, was anathema.³⁷

Over time, however, as Philadelphia's population grew both in numbers and complexity, it became apparent that the public needed to be able to identify the police. In 1856, Mayor Richard Vaux required all police to wear blue coats and silk hats. He also formed a special police unit, the Reserve Corps, and required its members to wear unique

³³ Ibid, 3 July 1924.

³⁴ Ibid, 29 January 1924.

³⁵ Ibid.

³⁶ This is a questionable statistic. In a force of 3,500 men, can only 600 of them be over the age of 60, if the average age is 53? *Evening Bulletin*, 23 April 1924.

³⁷ James F Richardson, *The New York Police: Colonial Times to 1901* (New York: Oxford University Press, 1970) pp.21-22; Howard O. Sprogle, *The Philadelphia Police, Past and Present* (Philadelphia, PA: public domain, 1887) pp.103,.110.

uniforms so they would be visually set apart from the regular police. Historian Howard states that the uniform was distinctive and military-like, which imparted a look of authority, a helpful characteristic in law enforcement. By 1860, all officers wore full uniforms.³⁸

In 1884, under Mayor William Burns Smith, the department added a time stripe placed above the sleeve cuff. In a major change of direction, the previous military service of the officer was displayed as an image of distinction. A red stripe on the blue frock coat identified service in the U. S. army or navy. Not as visible, one blue stripe was added to indicate each three years of police service. The time when the police considered the military repugnant was fading.³⁹

Butler's predecessors, as Heads of Public Safety, had not worn a uniform, but Butler decided early on that he would, and regarded it similarly to his Marine regalia.⁴⁰ He also designed new insignia for himself and his subordinates that were similar to that of the Marine Corps. The Director's insignia became two gold stars, like the two silver stars of a Marine Major General (the position Butler was to advance to that April); the Assistant Director had one, like the silver star of a Brigadier General; the Superintendent of Police a silver eagle, like the silver eagle of a Colonel; and the inspectors gold oak leaves, like the Marine Majors' gold oak leaf. When Butler said he wanted his men to be like Marines, he meant it literally.⁴¹

Training

Butler was a man of action who was always in motion and his management style reflected this. It was important to him that his men were not only physically fit, but could also react to situations with the ability to use the basic technology at hand, and for Butler this meant a working knowledge of firearms. Early on he realized this was not the case. To rectify the fact that they did not, he mandated a two-week instruction period in pistol firing.⁴²

³⁸ *Ibid*, pp.114-115, pp.122-123.

³⁹ *Ibid*, pp.224-225.

⁴⁰ *Evening Bulletin*, 4 December 1923.

⁴¹ *Evening Bulletin*, 4 December 1923, 15, 16 January 1924; *Inquirer*, 16, 17 January 1924; John P. Crank and Robert Longworthy, 'An Institutional Perspective of Policing,' *The Journal of Criminal Law and Criminology* 83(2) (Summer 1992) p.343.

⁴² 'Poor Police Guns Stir Butler's Ire,' *Evening Bulletin*, 19 January 1924.

Butler also decided to arm all city firemen with .45 caliber revolvers when they were off duty. City firemen were already vested with police powers, but Butler felt they could not be effective without the proper equipment. Guns, he said, were what firemen needed to aid police in their fight against lawlessness and banditry.⁴³

At the same time, Butler abolished the police training school. He believed that an officer learned his work on the street, not in a classroom. This was a major departure from the professional model, which had as a primary tenet the importance of education. The Philadelphia police training school had been initiated during the reform mayoralty of Rudolph Blankenburg, 1912-1916, and had served as a model for many police departments throughout the country. Police training had consisted of a three-month course. Butler considered this unnecessary. Instead, he instituted a policy where new policemen were to go immediately onto the force and given booklets that would outline their duties. Soldiers learned their skills on the battlefield; the Philadelphia police would learn theirs on the streets.⁴⁴

5 Upholding the American Way of Life

Prohibition and the blue laws were major tests of the military analogy because Americans from all walks of life found themselves on the wrong side of those laws. While Prohibition had been instituted as a way to destroy immigrant culture, what it also accomplished was to make illegal drinking in mixed company acceptable for the middle- and upper-classes. Those who had previously been law-abiding citizens found it exciting to go to speakeasies and break laws with which they disagreed.⁴⁵

It was Butler's position that a Marine enforces the law, whether he agrees with it or not, and the Philadelphia police would enforce all the prohibition laws to the best of their ability. This sentiment clashed forcefully with many of the people of Philadelphia (and also many police) when he attempted to prohibit liquor and dancing in hotels, cafés, and clubs in Philadelphia. This did not stop him from trying. During his second week in office, he stated that dancing in public places must cease at midnight on Saturday, in order to observe Sunday closing laws. He made it clear that the owners of the halls would be

⁴³ 'City To Arm Firemen As Police Auxiliaries,' *Inquirer*, January 1924.

⁴⁴ *Evening Bulletin*, 24 January 1924; MacDonald, 'General Butler Cleans Up,' p.371.

⁴⁵ Pegram, *Battling Demon Rum*; Okrent, *Last Call*.

held accountable, both for the character of the dancing and for the patronage. He kept this position throughout his two years in Philadelphia.⁴⁶

Kendrick realized this would have negative effects on his mayoralty, as many prominent Philadelphians invested large amounts of money in these businesses. In an attempt to divert what he saw as imminent disaster he asked Butler to meet with these men and women, believing Butler could outline his plans and get their cooperation. But Butler was too brusque and did not handle the situation well. Instead of coming to some sort of compromise with these business people, he approached them as if he were a general and informed them that he intended to install a special squad of undercover detectives dressed in full evening attire, to police these establishments. This began a two-year battle between Butler and the hospitality industry.⁴⁷

Butler must have assumed that either the public would support these laws, or that he could enforce them against public opinion. What he learned was what many occupying armies learned. It is often the oppressed that prevail culturally. Those arrested for liquor infractions came before magistrates who often released them for lack of evidence. When Butler began padlocking the establishments of persistent liquor violators, judges rejected his arguments and allowed the places to reopen.⁴⁸ He also came to the realization that many policemen were in league with bootleggers and regular citizens had their own bathroom stills. Most Philadelphians did not want Prohibition and did everything in their power to thwart it.⁴⁹

Enemies of the State

As a soldier Butler was convinced, as were many reformers during this period, that criminal syndicates, most of which were involved in illegal alcohol trafficking, were out to undermine the American way of life and destroy its security. This was reinforced by the ethnic composition of most criminal organizations, which consisted of immigrant Jews,

⁴⁶ *Evening Bulletin*, 17 January 1924; *Inquirer*, 15 December 1923.

⁴⁷ *Evening Bulletin*, 15 January 1924; *Inquirer*, 16 January 1924.

⁴⁸ *Evening Bulletin*, 31 March; 1 June 1925 *Public Ledger*, 2, 23 June 1925; Interestingly, unlike many other proponents of the professional model, neither August Vollmer nor Raymond Fosdick, both prominent police reformers, thought vice was a proper police function because it was unenforceable. August Vollmer, 'Vice and Traffic - Police Handicaps,' *Southern California Law Review* 1 (May 1928) pp.326–331; Fosdick, *American Police Systems*, pp.46-57; Fogelson, *Big-City Police*, p.52.

⁴⁹ *Evening Bulletin*, 20 October 1924; 8, 15, 26 November 1924; 31 December 1924.

Irish, and Italians, such as Boo Boo Hoff, Charley Schwartz, Micky Duffy, and the Lanzetti brothers. Many reformers used the 'science of eugenics' and statistics to 'prove' their assertions.⁵⁰

Since Butler viewed the domination of the crime syndicates in Philadelphia as every bit as dangerous as foreign combatants to the nation, he decided the problem should be treated in a similar manner. This prompted him to offer a promotion to the first officer who killed a bandit, with the stipulation that the bandit had to either be engaged in a holdup or have a revolver ready for use when pursued. A soldier, he explained, would guard a position with a weapon at the ready and use it should the situation warrant it. Similarly, he wanted his policemen to guard Philadelphia and use their guns to thwart criminals and gang members. He did not understand that it is not allowable for police to kill citizens when not faced with lethal danger, or that crime from a city's citizens is not equivalent to a nation under attack from a foreign entity. But many of these criminals spoke foreign languages and had different customs and values from his, which probably identified them to him as foreign. Butler took this further and stated that, like soldiers, those police who killed criminals should not be called upon to either defend themselves or to contribute to their defence. 'A policeman who shoots a bandit is serving his city exactly as a soldier when firing at his country's enemies.' He saw no difference in context between the role of the soldier and that of a police officer.⁵¹

Efficiency and Technology

Herman Goldstein, in his article 'Improving Policing,' addressed the problem of bureaucracies becoming so absorbed in ways to more efficiently run their organizations that they often overlook the reasons they were created in the first place. He labeled this the "means over ends" syndrome. This has been especially true of the urban police. Goldstein points out that police reformers have been so preoccupied with increasing response time, obtaining ever better communications networks, faster cars, and updating procedures, that they have lost sight of the specific crimes and disorders the

⁵⁰ Thomas C. Leonard: 'American Economic Reform,' p.109; "'More Merciful and Not Less Effective": Eugenics And American Economics in The Progressive Era,' *History of Political Economy* 35(4) (Winter 2003) pp.687-693; Fosdick, *American Police Systems*, pp.46-57.

⁵¹ 'Kill Bandit, Get Promoted,' *Evening Bulletin*, 18 January 1924; 'Police Will Be Protected,' *Inquirer*, 19 January 1924; Butler was not the only one who upheld a policeman's right to shoot. Vollmer also believed that 'shooting to kill was the best way to eliminate desperate criminals.' Woods, 'The Progressives and the Police,' p.166.

police were meant to address.⁵²

This was evident in Philadelphia. During Prohibition, some of the country's biggest bootleggers lived in the New Jersey/Philadelphia region and were developing nationwide syndicates. Cops and political officials were integrally connected with them. In order to stop the liquor trafficking, Butler resorted to military technology and a focus on efficiency. This included special bandit-chasing armoured automobiles, fortified military-style 'outposts' to chase bandits, a new police district map of police routes to crime scenes, and a searchlight signal system. Butler tackled Philadelphia as he would a war-zone.

Like armoured military vehicles for soldiers, Butler felt that armoured automobiles would make it possible for police to gun down criminals (the enemy) more efficiently. While police vehicles were usually run with two men per car, Butler increased this number to four. He felt that the additional men in a car would help if there were a need to get a large number of police to a situation quickly and it would aid in shooting. The idea was to turn the rear seats back-to-back with the front seats 'like an artillery limber.' The men in the back seats could then shoot directly at the bandits, without having to turn around. Each man in the 'gunnery squad' was to be given a rifle, a sawed-off shotgun, and a revolver. While these men would not have the same protection as those in the front, who were shielded by steel plates and bullet-proof glass windows, this new formation would increase police ability to capture bandits.⁵³

Butler also created 'information booths' or 'outposts,' modeled after military posts, at the outskirts of Philadelphia on every one of the 21 major roads out of the city. He furnished them with bandit-chasing motorcars and motorcycle policemen. Telephone wire would go directly from police headquarters to district stations and these booths. When a policeman learned of a holdup, he would report it and the location immediately to City

⁵² Herman Goldstein, 'Improving Policing: A Problem-Oriented Approach,' *Crime & Delinquency*, 25(2) (April 1979) pp. 236-258; Crank and Longworthy, 'An Institutional Perspective of Policing,' pp.338-363; Egon Bittner's article on police functions also addresses this problem. Egon Bittner, 'The Functions of Police In Modern Society,' in Klockars and Mastrofski, *Thinking About Police*, pp.480-481; George L. Kelling, Tony Pate, Duane Dieckman, and Charles E. Brown, 'The Kansas City Preventative Patrol Experiment,' in *Thinking About Police*, pp.139-163. This study shows that police preventive patrol does not inhibit crime.; Similarly, Spelman and Brown argue that rapid response may be meaningless for 3 out of every 4 serious crimes committed. William G. Spelman and Dale K. Brown, 'Response time,' in *Thinking About Police*, pp.163-169.

⁵³ *Evening Bulletin*, 30 January 1924, 1 February 1924.

Hall and then to his station house. City Hall would then send word to the other station houses, to get their bandit-chasing cars and motorcycle squads to that site. This would enable the bandit-chasing cars to mobilize immediately and be after the bandits before the bandits could get started.⁵⁴

To increase police response time even further, Butler divided the city into 50 districts, each with a key number. This was also in the interest of police safety. Each man would have a fixed route to get to the crime, which would be different from the patrolmen assigned to the case, so that every street would be covered. This would form a large circle that would tighten around the bandits, making it difficult for them to escape, like a military pincher movement. Philadelphia was now an armed, occupied city.⁵⁵

To further aid in the speed necessary to contact police officers in a timely manner when a criminal act occurred, Butler devised several ideas to use streetlights and searchlights. Each location was given a code so that when a crime was committed the streetlights would signal where the crime was taking place. Policemen would carry codebooks that translated the codes so the police would know where to go. Additionally, four huge searchlights would be placed under William Penn's statue on City Hall, and flash the licence plate numbers of bandit cars. In case an officer had trouble decoding the flashing lights, Butler also decided to place a huge illuminated sign with the licence number on it on City Hall.⁵⁶

All of these changes garnered Butler a lot of media attention, too much at times. He was interested in getting the most publicity possible, and often discussed his plans with reporters. His order to 'kill a bandit, get promoted' together with his continuous 48 hour drives to shut down saloons, gambling hells, and disorderly houses, many of which had to be closed multiple times, made headlines, but were gratuitously sensational. This practice did not serve him well in the long term with either the mayor or the machine.⁵⁷

⁵⁴ Ibid, 12 January 1924; MacDonald, 'General Butler Cleans Up,' p.370.

⁵⁵ Ibid, 17 March 1924.

⁵⁶ *Inquirer*, 19, 21 March 1924.

⁵⁷ MacDonald, 'General Butler Cleans Up,' p.373.

6 Butler's Last Stand

In October 1925, after Butler was in office for almost two years, Kendrick announced he would ask that Butler's leave of absence be extended for the remainder of Kendrick's term. President Coolidge, however, was not inclined to grant this request. It was his position that Butler already had two years to straighten out Philadelphia, and it was time for him to return to the Marines. In that case, said Kendrick, he would keep Butler's policies in place and name Assistant Director George W. Elliott as the new head.⁵⁸

On December 7, Butler announced his intention to continue his 'military stance' against crime and vice until he left office on December 31, when his military leave expired. Butler was slated to take over command of the Marine Corps base in San Diego, CA at that time.⁵⁹ This seemed like a foregone agreement until December 23, when he changed his mind and decided to resign from the Marines and stay in Philadelphia, at least until the end of the Kendrick administration. Why Butler did this is a mystery. One reason could have been that he wanted to irritate Kendrick. Kendrick immediately demanded that Butler step down. His public reason was that he did not want a resigned Marine officer in his cabinet; he wanted an active Marine. This made as much sense as Butler's 'decision' to resign from the Marines. Kendrick accused Butler of treating him disdainfully, knowing that he, Kendrick, didn't want Butler to resign his commission. Underlying this were the two contentious years they had just gone through. Kendrick wanted Butler gone. He backed up this decision by saying that if Butler wouldn't step down from his position as Director of Public Safety and return to the Marines, he should consider himself fired.⁶⁰ Butler continued the insults:

Why the Mayor does not wish me as a resigned officer is beyond my comprehension, as I am the same person. I am being dismissed from public service because I am making the greatest sacrifice any Marine can make, and I should, without any other ties, be of more service to the city of Philadelphia than I was before...The Mayor has suspended me from duty and I will obey his order.⁶¹

Butler, however, was stretching the truth. At the time he spoke to Kendrick about staying he had not yet resigned from the Marines. While he did post his resignation letter later,

⁵⁸ *Inquirer*, 15, 21, 31 October 1925, 5 November 1925; *Evening Bulletin*, 24, 25 November 1925.

⁵⁹ *Inquirer*, 8-10 December 1925.

⁶⁰ *Public Ledger*, 23, 24 December 1925; *Inquirer*, 23 December 1925).

⁶¹ *Public Ledger*, 23 December 1925.

his friends said he knew that it would not be accepted and was just posturing.⁶²

Interestingly, while the Philadelphia papers had lauded him throughout his tenure, none came to his defence now. The *New York Times* even editorialized that Coolidge had been very shrewd to realize that Butler 'was not saving Philadelphia and his work was not reflecting credit on the Marine Corps.' Rather, having a Senior Marine officer outflanked by an urban machine was an 'indignity.'⁶³

Conclusion: Butler and the Military Paradigm

Reformers chose the military as their theoretical model because they did not like the civilian orientation it had under the machine, which ran it as a political arm of the organization. In order to get it out of machine control, most reformers decided the best model would be the 'apolitical' model of the military.

Butler, however, took this paradigm to its logical extreme, treating his police officers as if they were Marines. One reason his tenure did not work out was because the city police were not soldiers, criminals were not the enemy, and crime-ridden areas were not at war with the cities that encompassed them. In fact, many Philadelphia citizens - hotel and club owners, the middle- and upper-middle classes who frequented these establishments, saloon owners and their patrons - especially disagreed with his enforcement of Prohibition.

⁶² Ibid, 23 December 1925; *Inquirer*, 23 December 1925.

⁶³ Butler was in line to become Marine Commander after he left the Department of Public Safety. He was passed over for this position in 1930, probably because of his unbending nature, inability to compromise, incorruptible character, and integrity, which resulted in outcomes similar to those he faced in Philadelphia. Back in the Marines, he found he was not a part of the Navy and State Department establishments, and began to support a series of left-wing causes. Then, in 1934, he exposed a Wall Street fascist plot to topple the U.S. government. Hans Schmidt, *Maverick Marine: General Smedley D. Butler and the contradictions of American military history* (Lexington, KY: University Press of Kentucky, 1987), p.158; Emily Lay Marshall, "The Forgotten Treason: The Plot to Overthrow FDR," unpublished honors thesis, Wesleyan University, 2008; Jules Archer, *The plot to seize the White House: The shocking TRUE story of the Conspiracy to overthrow FDR* (New York: Skyhorse Publishing, 2007); Antony C. Sutton, *Wall Street and FDR* (Cutchogue, NY: Buccaneer Books, 1975); David Talbot, *Devil dog: The amazing true story of the man who saved America* (New York: Simon & Schuster, 2010) His feelings about the military at the end of his career were characteristically blunt. He became a national speaker against war and those who profited from it. 'I spent 33 years and 4 months in active service...and during that period I spent most of my time being a high-class muscle man for Big Business, for Wall Street and the bankers. In short, I was a racketeer for capitalism.' quoted in Hans Schmidt, *Maverick Marine: General Smedley D. Butler and the Contradictions of American Military History* (Lexington, KY: University of Kentucky Press, 1987) p, 9, from *Common Sense* (November 1935), 4(11).

Butler is a good example to study to learn about the consequences of paradigms, as they change our focus and understanding.⁶⁴ Few people are as dogmatic as Butler was, but his example shines a light on unexpected outcomes. When two disparate groups are equated, key differences are lost as one group incorporates essential aspects of the other. For example, the military language that was used then has come down to the present day, so that we now speak about 'wars' on just about everything, be it crime or cancer or drugs, criminals are often portrayed as enemies of the state, and we have SWAT teams as normal police divisions in many urban cities. Thus, while he did not have a lasting effect on Philadelphia or its police department he does seem to have been a representative precursor of things to come.

⁶⁴ The classic exegesis on this is Thomas S Kuhn, *The structure of scientific revolutions* (Chicago: The University of Chicago Press, 1996).