

citizenship. Once authority has deteriorated to the level of *mere* power (the threat of violence) the next move to actual violence is no longer a moral problem: it is a matter of survival.

Reviewed by HUGH MERCER CURTLER

A Napoleon of Crime

Capone, by John Kobler, *New York: G. P. Putnam's Sons, 1971. 409 pp. \$8.95.*

JOHN KOBLER'S BOOK is aptly subtitled "The Life and World of Al Capone," for the author devotes at least as much discussion to the era as to the man. As interesting as Capone was to his contemporaries, in the last analysis it is the broader picture that interests the present-day reader. Capone himself was little more than a successful organization man. Kobler attempts to discover a complex character but turns up nothing more exciting than an amoral entrepreneur motivated solely by self-interest. His fame arises from the violence of his methods, not from personal charisma.

Al Capone was born in Brooklyn, in 1899, the son of two recent Neapolitan immigrants. Unlike most of his compatriots, he took no pride in his nationality. "I'm no Italian, I was born in Brooklyn," he was quoted as saying. He received his education on the streets, having left school during sixth grade. His early contacts proved valuable to him in later life—Lucky Luciano was in the same youth gang, the Five Pointers, and an early mentor, Little John Torrio, was the main reason for his success in Chicago. Capone's first full-time position with the underworld was as a bouncer for Frankie Yale, president of the *Unione Siciliane*, a powerful social organization which provided a front for criminals of Sicilian descent. It was during this stint that he

picked up the wound that provided his sobriquet, "Scarface."

Johnny Torrio shifted his operations to Chicago to work for his uncle, Big Jim Colosimo, a leader of the local mobsters. Torrio's primary task was to eliminate the opposition, and for support he called upon Capone. Al was in trouble with the New York police because of a few murders and was happy to leave town. When Big Jim was murdered in 1920 (rumor had it that Torrio paid Yale \$10,000 for that contract), Torrio took over his position with the support of two Chicago aldermen, Hinky Dink Kenna and Bathhouse John Coughlin. He expanded into the suburbs and as his position rose, Capone rose with him as a junior partner.

Torrio and Capone initiated a strategy of power politics, seeking to maintain peace among the rival gangs by apportioning profits according to current gang strength. Their biggest rival was Dion O'Banion's gang, seconded by Hymie Weiss and counting among its more distinguished members Bugs Moran, who invented the motorcade system of murder, using successive cars of gunmen to rake a target. Another rival was the organization of the six "Terrible Gennas" who controlled Little Italy on the South Side. The O'Donnell brothers ran the far South Side, and the Druggan-Lake gang dominated the West Side.

Alliances of criminals are at least as fragile as alliances of nations, and fighting continually broke out despite the peacemakers. Torrio fled Chicago following the murders of O'Banion and several members of the O'Donnell gang. He returned to face trial on a liquor violation, and after surviving an attempt on his life, transferred his holdings to Capone and retired to the Lake County jail for a brief rest.

Capone established his position with the longest and most violent gang war in Chicago's history. Three of the Genna brothers were murdered in 1925, and other deaths paved the way for the election of a Capone ally as president of the *Unione Siciliane*,

a position which symbolized leadership of the gangs. The death in this war of a young State prosecutor, William McSwiggin (of whom Capone claimed "I paid him plenty and I got what I was paying for"), stirred a wave of reform in 1926, but the State's Attorney, Robert Crowe, broke that wave by sidetracking six successive grand juries investigating the case. A tentative peace was reached in October of 1926 after the murder of O'Banion's successor, Hymie Weiss. Prosperity was assured by the reelection as mayor of Big Bill Thompson, a corrupt buffoon who promised to turn Chicago into a wide-open city. Capone eliminated the remnants of the O'Banion gang in the St. Valentine's Day massacre of 1929. As usual, no trial was held; this was due in good part to the death of two suspects: Capone had personally murdered them with a baseball bat, leaving hardly a bone unbroken.

Capone was finally convicted on income tax charges, and began serving an eleven year sentence in May of 1932. He was later transferred to the new top-security prison at Alcatraz where, in 1938, he began to suffer the effects of a disease diagnosed as advanced syphilis. His mind and body deteriorated, and by the time of his release in November, 1939, he was intermittently irrational and partially paralyzed. From then until his death in January, 1947, Capone was a sorry caricature of his former self—unable to reenter the gangland world, he wasted away in Miami, finally collapsing from a brain hemorrhage.

The more interesting topic of *Capone* is the era he lived in. More specifically, how could crime in general and Capone in particular come to dominate for so many years a city the size of Chicago? Kobler's answer is a good one: Capone prevailed because he was the first of the gangsters to establish a system in which virtually every power center in Chicago had a share, a syndicate which makes "M & M Enterprises" of Heller's *Catch-22* seem a poor reflection. Consider the situation: Capone's illegal enterprises flourished openly

throughout Cook County. There was no lack of knowledge on the part of government officials concerning the size, location or legal status of the operation, yet only rarely were any raids made.

The primary burden of enforcing the law rests of course on the police, but during the Capone era, many of the police were on the take, more (one official estimated 60 percent) were engaged in illegal activities themselves, and the rest knew that there were no promotions to be had by troubling those who had the protection of the politicians. When the police did arrest a gang member, prosecutors were strangely reluctant to prosecute. Some were simply afraid, others like McSwiggin were on the payroll and still others like Crowe fluctuated with the electoral winds. Even cases that were too notorious to bury seldom resulted in serious punishment. Juries often found the defendants not guilty or could not agree on a verdict. Bribery and threats were one reason for this, but more important was the frequency with which prime witnesses died, disappeared, or suffered amnesia. When there were convictions, judges subject to political pressure could be counted on to hand down light sentences. As a last resort, there was a good possibility of pardon or parole. One prosecutor complained that in 1923 "I put 59 burglars and 97 robbers in jail and [Governor] Small released 88 burglars and 97 robbers!"

Politicians held the key to the problem, for they chose the police chief, the prosecutors and the judges. When spurred to bursts of reform, they proved able to close the mobs down. Such bursts were infrequent, however, because the electorate was seldom aroused. Many citizens were breaking some laws themselves—prohibition, gambling, prostitution—and were understandably reluctant to harass those who catered to their vices. Others were indebted to the mobsters or their political lackeys for jobs or welfare. Besides, weren't the gangsters mainly killing one another? Why rock the boat?

The mobs were broken only when the links of this circle of interest began to

separate. The gangsters began to commit murders outside of their own ranks—the death of the prosecutor and of a newspaper reporter each set off exposures of corruption and cries of indignation. Reformist politicians and officials, mainly on the federal level, began to bring pressure to bear. The famed Eliot Ness and his associates alone deprived Capone of several million dollars in revenue. Federal judges and juries proved less subject to pressure, and a new tool—prosecution for income tax violations involving illegal income—finally enabled law enforcement agencies to jail those who had evaded other charges. The gangs succeeded temporarily because they were able to bring much of the Cook County electorate into their system. They failed in the long run because not even Al Capone could organize the nation.

Mr. Kobler has written a thorough and fascinating history of a man and an era that have current echoes in rampant crime and political violence. He provides a case study of how such a situation can develop—and of how it might be cured.

Reviewed by DENNIS R. NOLAN