



Fingerprinting, civil codes, and the origins of surveillance culture in the United States

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Abstract

“Surveillance culture,” according to an influential body of scholarly work, is characterized by the habitual use of surveillance technologies that connect people and machines in webs or assemblages. The origin of this culture is pinned to the political and economic interests of private tech and the security state. This understanding of surveillance culture, however, leaves unanswered important questions about social relations, collective norms, and the broader interpretive space in which surveillance practices are located. To address them, I use civil sphere theory to explain the popularization and dissemination of mass surveillance techniques in the early-twentieth century United States. I draw on two specific popularization efforts: identity deceptions unmasked by the Chicago Police Department’s fingerprint experts; and private sector surveillance entrepreneurs, self-styled as “Fingerprint Men.” Linking these domains were surveillance narratives, stories about intimate crime that threatened the civil sphere. Surveillance narratives were effective not because they were factually accurate (they often weren’t) but because they offered riveting accounts of urban life that drew on cultural scripts concerning race, risk, and morality. Historical and cultural analyses of these narratives shed new light on surveillance culture as a space of semantic relationships among discourse and symbols.

Keywords Surveillance narratives · Visual culture · Civil sphere · Race · Fingerprinting · Chicago

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Introduction

September 19, 1910. On the night of his death, Clarence Hiller went to bed as usual in his South Side Chicago home, his wife by his side and their children in their rooms.¹ Mrs. Hiller would later testify that shortly after 2:00 a.m., she noticed that the gas lantern at the top of the stairs had flickered out. It was the only source of light and without it, the house was completely dark. She asked her husband to investigate.² Mr. Hiller walked the length of the hallway to the lantern. He passed the room where his 13-year-old daughter, Florence, slept. He passed a second room where his 15-year-old, Clarice, slept. At the top of the stairs, he encountered an unknown man. They scuffled and fell down the staircase. The intruder shot Hiller twice at close range and fled. Hiller died before the police arrived.³

Roughly thirteen minutes later, four off-duty police officers waited for a streetcar at the corner of W. 103rd Street and Vincennes. They were a mile from the Hiller home, and news of the shooting had not reached them. A man, alone, appeared. Newspaper reports stated that he initially identified himself with a false name, “Will Jones.” In the days that followed, the officers provided differing reasons for why they stopped the man: that he continued walking when the officers spoke to him; that he was sweating; that he appeared to have blood on his shirt; that he just looked suspicious.⁴ He was not involved in apparent lawbreaking, but the officers interrogated, searched, and arrested him anyway.

Later that morning, the Chicago Police Department’s (CPD) Bureau of Investigation arrived at the Hiller home. Hiller’s wife and children said that it had been too dark to get a good look at the assailant. The neighbors concurred. Bureau investigators scoured the premises for evidence. It was in the kitchen that the breakthrough came, in the form of latent fingerprints on the windowsill. Investigators photographed the prints and cross-referenced them with the Bureau’s arrest records. The prints matched a file from Joliet prison. The file was that of Thomas Jennings, a Black man described as a day laborer in his mid-20s (Fig. 1). Six weeks earlier, Jennings had been released from Joliet after a parole violation. “Will Jones” was fingerprinted, and the Bureau of Investigation declared that his prints matched those in the Jennings file. Jennings denied any involvement in the killing. He said that he’d been visiting friends, and insisted that he kept a revolver for protection but had never fired it.

This is the version of events given under oath by the victim’s family, witnesses, CPD investigators, and four fingerprint experts.⁵ We will see that newspapers and

¹ *People v. Jennings*, 252 Ill. 534 (1911): sec. 537–538. My summary of the incident is taken from the court transcript.

² Mrs. Hiller’s first name is not given in the court records or newspaper stories. As was the convention of the era, she is referred to consistently as “Mrs. Clarence Hiller” or simply “Mrs. Hiller.” For ease of reference, I adopt the latter.

³ The events are reconstructed from the case file materials and courtroom testimony as given in *People v. Jennings*, 252 Ill. 534 (1911).

⁴ *People v. Jennings*, 252 Ill. 534 (1911): sec. 539–540.

⁵ *People v. Jennings*, 252 Ill. 534 (1911).



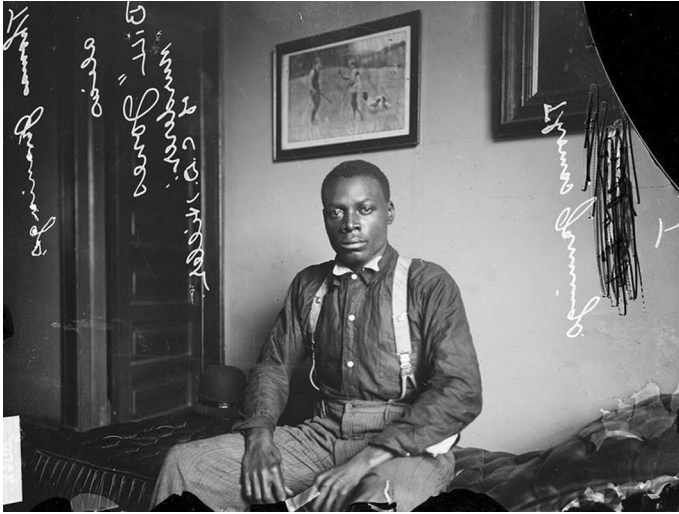


Fig. 1 Thomas Jennings, defendant in the Clarence Hiller murder case. The handwriting (in reverse) reads: “Thomas Jennings alias ‘Bill’ [sic] Jones murderer of C.D. Hiller. Thomas Jennings [illegible].” 1910. Chicago *Sun-Times*/Chicago *Daily News* collection, Chicago History Museum

popular crime publications developed their own versions of the incident. These versions deviated from the official record in significant ways. For now, let us see what became of Jennings.

After an inquest punctuated by outraged media stories, the Illinois State’s Attorney promised that the defendant, “who is alleged to have killed Mr. Hiller will have a speedy trial [and] I will see that justice is meted out” (*Examiner* 9/20/1910). Jennings was convicted of first-degree murder and sentenced to death in November 1910. His lawyers appealed, unsuccessfully, to the state supreme court. He was hanged on February 16, 1912.

Jennings’s case is remembered today as the beginning of forensic admissibility in American courts (Cole 2001, p. 179). Because the verdict was followed by the widespread adoption of fingerprinting by US law enforcement, financial institutions, armed forces, and civil registries, it is also credited with this diffusion. But the purpose of fingerprinting exceeds crime-busting. Fingerprinting is a civil activity. I will argue that it was not the substance of the Jennings case per se, but rather the stories the grew from it, that encouraged people to interpret surveillance—of which fingerprinting was one form—as an integral part of civil society. Specifically, popular outlets embellished the Hiller murder story to create a thrilling narrative that played on white Chicagoans’ ambivalence about the co-presence of Black and foreign people in their neighborhoods. The story was part of a larger category of surveillance narratives that captured and augmented shifting civil norms in urban America. Surveillance narratives have a traceable social history and cultural resonance, as I will demonstrate through a deep reading of the Jennings–Hiller case and the body of narrative that it launched. This



approach, coupled with concepts from civil sphere theory, offers new analytical leverage on the affirmation, popularization, and meaning of surveillance.

Cultures of surveillance: theoretical orientations

Social scientists have generated a sizable literature on surveillance culture. To help us map the scholarly terrain, we can think about two recurrent approaches to the topic. The first is ideological and concerns institutional interests and dynamics. The second is structural and concerns social practices and relations. There are overlaps between these approaches, to be sure. Some works draw on both, and they should not be read as mutually exclusive. I divide them here for heuristic purposes, to begin to flesh out key ideas about surveillance as culture.

A core idea of the ideological approach is that mass surveillance reflects a convergence of interests from the security state and the tech industry (Baumon and Lyon 2013; Zuboff 2019). In her influential work on surveillance capitalism, for example, Shoshana Zuboff argues that 9/11 ushered in new laws that eased restrictions on domestic surveillance and expanded governmental powers to partner with private tech firms that collect and process massive amounts of behavioral data (Zuboff 2019). Other scholars point to earlier shifts in financial and political institutions, which prepared the ground for the post-9/11 expansions (Igo 2018; Marx 1999; Pasquale 2015; Schneier 2015). What all parties seem to agree is that the rapid expansion of surveillance technology was only possible with Silicon Valley's complicity. Tech satisfied its profit motives, and the state fulfilled its vision of complete observation. "Economic action determines objectives," Zuboff writes, quoting Max Weber, whereas technology provides "appropriate *means*" (Zuboff 2019, p. 16). Specific technologies, in other words, flow from the dominant logic of surveillance capitalism.

Other "ideological" studies have attended to questions of why and how surveillance technologies have been adopted by a range of social actors, including law enforcement, employers, public housing authorities, and educational institutions, and with what impact on people's lives (Dinsmore and Pugh 2021; Boyd 2014; Brayne 2017; Browne 2015; Moran 2019; Nissenbaum 2010). Across these works, the role of the state looms large. Allan Sekula's illuminating study of photographic meaning, for example, identifies a dynamic "archive" of official photos that helped sustain a larger bureaucratic-clerical-statistical system. That system was capable of absorbing and projecting the state's norms of social conduct (Sekula 1982). Similarly, in his comprehensive history of surveillance photography in the United States, John Tagg draws on Foucault to sustain a critical genealogy of photographic representation in the state's social control projects (Tagg 2008).

Structural approaches, broadly speaking, focus on the take-up of surveillance through specific designs, rituals, and processes that reflected political and cultural anxieties (cp. Sontag 1973). In this vein, Jonathan Finn (2009, 2012) draws on science and technology studies and social constructivism to argue that the material ontology of surveillance photography was a key factor in overcoming doubts about the medium's objective status. He writes, "Photography's 'nature' as a chemical



and mechanical process allows for the limitless, quick, and economical reproduction of verisimilar images. [...] Taken as a whole, photography's material features and its culture of use make it a premier mode of representation for scientific and institutional practices that require verisimilar images" (Finn 2009, p. xiii; see also Jurgenson 2019). Each of these authors contributes to a model of surveillance in which practitioners perpetuate—knowingly or unwittingly—the goals and interests of broader political and economic structures (Albrechtslund and Dubbeld 2005; Finn 2012; Lyon 2002, 2015; McGrath 2004; Monahan 2011; Staples 1997, 2014). David Lyon's model is one of the most influential. He defines the "culture of surveillance" as follows:

[...] the everyday webs of social relations, including shared assumptions and behaviours, existing among all actors and agencies associated with surveillance. [...] The culture of surveillance is about how surveillance is enabled not only by technical and political means but also by the enthusiasm, ignorance, and sometimes reluctant cooperation and even initiative-taking of the surveilled. (Lyon 2018, 30)

Lyon's model emphasizes the habitual nature of surveillance as "a way of life, a key aspect of how we think about the world and operate within it on an everyday and sometimes almost unconscious bias" (Lyon 2018, p. 79). *We surveil because everyone else surveils*, to paraphrase, in an infinitely regressive explanation of human-machine codependence.

When mass surveillance is conceptualized as an assemblage of automated technological practices, however, it has no inner necessity. It is unthought, with minimal human intention or reflection. When surveillance is explained as habit, it becomes a case of mimicry, in which people parrot each other with no interpretive agency of their own, or ideological manipulation, in which bots and algorithms drive us to act on the goals and values of institutional power. Nor does the argument that surveillance flows from ideology account for the fact that a given surveillance practice can thrive in multiple spheres characterized by very different ideologies, or by the absence of any apparent ideas or moral commitments (Epstein 2016; McGrath 2004). To understand surveillance culture requires adopting a strong approach to culture—to the symbols, signs, discourse, and civil codes that make surveillance a meaningful part of social life (Greenland 2021). Adopting a strong approach to culture requires that we analyze surveillance practices as having cultural value independent of ideology. This will involve decentering technology and refocusing on the poetics of participation, or the affect and performative styles that place surveiller and surveilled on the "grid of civil culture" (Alexander 2006, p. 55).

Rethinking surveillance culture as culture

Mass surveillance in its infancy was shaped by dynamic social relationships that challenged and reconfigured norms of solidarity and belonging. In the nineteenth century, Jeremy Bentham's panopticon "was intended as a communicative institution, was open to its civil society, [and] was informed by the cultural expectations



and moral sensibilities of its time” (Smith 2008, p. 96). Crucially, it was linked to deep cultural codes concerning the sacred, the profane, and utopian and dystopian visions of social control (Smith 2008, p. 96). With his design, Bentham sought to convey the message that criminality should and could be “reformed,” and that it would be done so in alignment with civil society’s regard for itself as enlightened and humane. Public participation, not (only) state power, sustained the semantic relationships that gave social relevance and cultural vitality to the panopticon. Visits, viewings, official statements, and popular stories were some of the means of engaging the public and reminding it that the all-seeing prison was not set apart from civil society, but rather integral to it.

By the end of the century, the rapid growth of American cities brought together a mix of people from diverse national, religious, and ethnic backgrounds. In historian Michael Ignatieff’s classic formulation, the outcome was a “society of strangers” (Ignatieff 1983, p. 87). By this telling, cities full of anonymous, alienated people undermined traditional forms of solidarity. Information about households and individuals had previously traveled through gossip, local parishes, and other intimate circuits. The city seemed to allow people to escape the scrutiny and control measures of those circuits, but at the cost of knowability. “People in modern cities might not be who they claimed to be. They could be anyone; they could come from anywhere” (Cole 2001, p. 9). Fingerprinting was perfectly suited for this context—for “modern, anonymous, socially mobile societies [...] brimming with people who were strangers, both to one another and to the state” (Cole 2001, p. 32).

The idiom of stranger anxiety may accurately reflect macro-level demographic patterns, but it does not tell us about everyday practices of civility that helped people make sense of changing neighborhoods and cities. By attending to civil norms, we can assess whether surveillance culture really did emerge from the new “society of strangers,” or whether that culture drew on familiar mappings and deployment of the civil/uncivil and private/public binaries that had long informed social relations in American communities.

Once we shift surveillance from an ideological byproduct to a civil sphere matter, new possibilities for reading its cultural resonances are set in motion. Through surveillance narratives, fingerprints were made to perform civility and norms of social inclusion. With Jeffrey C. Alexander and Philip Smith, I understand narrative as a cultural structure containing “stories, plots which have beginnings, middles, and ends, heroes and antiheroes, epiphanies and denouements, dramatic, comic, and tragic forms” (Alexander and Smith 1993, p. 156). Narratives “establish meaningful links between cultural and social norms, and between normative and cognitive expectations” (Sciortino 2012, p. 14). Surveillance narratives counterposed that danger with compelling images of good and trustworthy citizens. They fit into existing pulp fiction genres of the “action detective” or “public police”. Each story had its own villain with his (sometimes her) own vices and plots, but every villain was, at core, a representation of the public’s fear that unchecked crime was spreading to ever-wider circles of society (Cawelti 1976; Powers 1983). In surveillance narratives, technical expertise—say, the ability to decipher fingerprint patterns—did not guarantee the success of the narrative. What mattered was narrator reliability. A narrator is “*reliable* when he speaks for or acts in accordance with the norms



of the work (which is to say the implied author's norms), *unreliable* when he does not" (Booth 1961 [1983], pp. 158–159). Technical experts are accountable to scientific standards. Reliable narrators, by contrast, are accountable to the audience and the "norms of the work" extend to the audience's collective sense of morality and civility. Surveillance narrators included journalists, active and retired police officers, civic officials, and private detectives and, above all, Fingerprint Men. "Such persons [who are innocent] have no cause for complaint," wrote a senior official in the Chicago Police Department in 1904, responding to citizens' objections to expanding surveillance procedures. The "nothing to hide" trope struck at the heart of prized qualities in American civil relations: open, trusting, critical, honorable, altruistic, truthful, straightforward, deliberative, and friendly (Alexander 2006, p. 58). Fingerprint Men made the trope an essential device in the unfolding surveillance culture.

Empirical materials and paper organization

To explain mass surveillance as a cultural phenomenon, I focus on the Hiller murder and the horizon of civil and capital relations in which it was situated. The Jennings–Hiller case alone did not launch mass surveillance, but its effects are emblematic of the process and crystallize the broader cultural patterns that made it possible. Moreover, I make no claim that fingerprinting captures all possible variations of surveillance, but nor is this my concern. Instead, by offering a cultural analysis of fingerprints' circuits of meaning in the early-twentieth century, I illuminate the inner workings of civil society that sustained and expanded them.

The city of Chicago is the empirical locus for this effort, and the rest of the paper is organized as follows. The first section recounts the adoption of fingerprinting in Chicago law enforcement. While no single person did this alone, one man, Matthew McClaughry, stands out from the archival materials as a particularly effective and widely copied surveillance entrepreneur.⁶ McClaughry was the son of an influential prison warden in the state and federal correctional systems, and he used his family connections and business savvy to capitalize on growing public suspicion about the incursion of foreigners and Black migrant workers into northern cities. He understood better than many of his contemporaries how to extract maximum social value from the formal structure of the fingerprint.

In the second section, I show how the Jennings–Hiller case developed a rich narrative content in which the visual affordances of the fingerprint tapped into the collective cultural imaginings of growing metropolitan populations. The incursion of a Black suspect into a white household was seized by journalists and law enforcement officials as justification for monitoring and restricting Black Chicagoans'

⁶ There are strong precedents for this approach in sociology. As Fred Block and Margaret Somers demonstrate in their study of the assault on poor people in nineteenth century Britain and twentieth century United States, particular individuals—Thomas Malthus and Charles Murray, respectively—used their clout to confer "epistemic privilege" on new ideas that were previously heretical (Somers and Block 2005). Following their lead, the payoff in following the twists and turns in the road of a particular person, rather than sticking with the same institution through time, is the ability to discern which actors are crossing fields and institutions, why, and with what effects.



movements. This position could, in theory, be taken with respect to any person said to represent an uncivil intrusion into public life or the sanctity of the home. Persons of European descent were also subject to fingerprint surveillance, and first-generation Poles, Italians, and Irish were among those stigmatized as racially foreign Others (Guglielmo and Salerno 2004; Jacobson 1999). But racialized Black and brown subjects could be more easily linked with cultural schemas about inherent relational threats (Bonilla-Silva 2018; Browne 2015; Omi and Winant 1986). Jennings's blackness was used as the narrative foil to the morally unblemished victim and to the honest, hard-working Fingerprint Man—neither of whom needed to be racially marked because their moral standing was ontologically linked with whiteness.

The third section demonstrates how surveillance narratives expanded the domain of fingerprinting services by giving those services robust cultural meaning. The University of Applied Science (UAS), located in downtown Chicago, was a pioneer in the growing business of private surveillance training. From the beginning, the UAS pitched its programming to ordinary citizens who supported law and order but who were not, for various reasons, able to access formal employment in police departments or prisons. Fingerprint Men, as they called themselves, were generally lower-middle-class white men, World War I veterans in need of income, and amateur sleuths looking for adventure. The ideal Fingerprint Man was not too bright, and just skeptical enough without betraying the solidarity required for total surveillance to work. As one industry publication puts it, “Any man or woman of average education [...], of ordinary common sense plus the *desire to succeed*, can win his rewards by training for crime detection, identification, and investigation work” (*Blue Book* 7).

Show trials, racial hoaxes, sensationalized whodunits, and other astonishing feats of identification were Fingerprint Men's stock in trade. In telling the story of the carving up and carving out of surveillance and state power, the most consequential figures are not the Bismarcks, but the Barnums.

Culture, policing, and the rise of fingerprints

“The murderer wrote his signature when he rested his hand upon a freshly painted porch railing at the Hiller home.”—*Hanford Journal*, November 11, 1910, no. 81

Fingerprints are unique patterns formed by raised friction ridges and recessed furrows on the pads of the fingers and thumbs (Galton 1892; Henry 1900). Friction ridges are the mainstay of fingerprint identification, and they are grouped into three general types: loops, whorls, and arches. Classification begins with friction ridges and branches into *minutiae*, or ridge characteristics, to make sub-classifications within type. The two principles underpinning fingerprint identification are *uniqueness* (no two persons have ever been found to have the same prints, including identical twins) and *persistence* (fingerprints are set at birth and remain fixed across a person's lifetime, even as new skin cells form to accommodate growth or scarring). Uniqueness and persistence were semiotically fused with ridges and minutiae in popular readings of fingerprints as failproof indicators of a person's identity and



actions. As we will see, the fingerprint was a culturally charged image that was tied to deception and stealth. Every person has finger ridges, but only crooks and deviants—the belief went—have *fingerprints*, inked, transferred, classified, and circulated as evidence of untrustworthiness.

Historically, the Chicago Police Department was at the forefront of fingerprinting and surveillance practices. In 1884 it adopted the famed biometric cataloging system of Alphonse Bertillon, and the following year it established a “Rogues Gallery,” a display of photographs of men and women suspected or convicted of crimes. It was one of the first US police departments to do so.⁷ Such was the renown of CPD’s Bureau of Identification that foreign heads of state requested its assistance to establish their own surveillance departments (*Sunday Tribune* 4/24/1898). In 1904 CPD adopted fingerprinting and rapidly established itself as an authority in that domain. Growing institutional and political investment in police surveillance followed. By 1942, the Bureau of Identification had collected over one million unique fingerprints and served as the linchpin between federal and state-level surveillance efforts. The Bureau’s astonishing volume of data bolstered its claim to surveillance superiority, “being the most complete and successful in the nation.”⁸ While it took nearly 40 years to hit the million-fingerprints mark, doubling that number took only twelve.⁹

CPD surveillance is important historically not only for its size, however, but also for its innovative applications to social life outside law enforcement. It was in Chicago that the National Bureau of Criminal Identification was created, and long after it was folded into the Federal Bureau of Identification (FBI) and moved to Washington, D.C., Chicago surveillance protocols persisted at the federal level. The Department of Justice had already begun to keep records on anarchists and political enemies of the government, and yet the compilation of records on individual lawbreakers, connected with personal identifiers, was a Chicago innovation. In the words of FBI director J. Edgar Hoover, marrying federal to municipal surveillance “brought to realization most of the dreams of early identification pioneers” by developing “scientific procedures” to reveal the “true identities” of everyone in modern society (Hoover 1972, p. 626). “True identity” was about more than a person’s legal name and current address. It was a claim on a person’s position within the grid of civil society. And the “pioneers” deputized to ferret out true identities were neither scientists nor government actors. They were self-taught gumshoes and ex-army patriots who operated in the nooks and crannies of the state.

That amateur sleuths played a central role in the uptake and legitimation of fingerprinting can be explained by their proximity to cherished American fantasies about rugged independence and codes of decency within the social order. They were formally trained but not tied down by bureaucratic procedure (Morn 1982). They

⁷ Chicago Police Department Annual Report for 1955, p. 7.

⁸ Chicago Police Department Annual Report for 1942, p. 23: “Number of fingerprints on file: 1072574.” National superiority claim: Report of the General Superintendent of Police for 1904, City of Chicago, p. 12.

⁹ “2,050,558 fingerprints now on file in the Bureau of Identification.” Chicago Police Department Annual Report for 1955, p. 13.



could demonstrate fluency in the technical language of dactyloscopy but preferred the action and risk of field investigation to desk work.

One of those pioneers was Matthew McClaughry, son of a prominent prison warden. A restless underperformer in school, Matthew was allowed to help his father at the Joliet prison, where he showed an aptitude for measurement and identification.¹⁰ Warden McClaughry sent his son to visit prisons across the United States to take measurements and mug shots of high-profile criminals. But Matthew McClaughry's professional trajectory was uneven, and he changed jobs frequently because he had a habit of getting into trouble.

After losing his position with the Chicago police (for reasons undisclosed in his autobiographical notes), McClaughry's father arranged for him to work as a parole officer at Joliet. He left that job after less than two years, "for political reasons,"¹¹ and took the United States Civil Service exam with an eye toward Department of Justice work. He passed the exam and became the records clerk in the federal prison at Leavenworth, Kansas. Promoted to Special Agent in Charge of the Bureau of Criminal Identification at Leavenworth in 1907, McClaughry was suspended in June 1912 after starting a bar brawl in which he punched a former inmate "multiple times" (*Leavenworth Times* 1912). With local newspapers exulting in the story, McClaughry kept his head down and quietly returned to the Bureau a year later. But in 1914 he was let go by the Department of Justice as part of an organizational overhaul (*Leavenworth Times* 1914). From that year until his death in 1922, McClaughry was in and out of government prison work and made his mark in the private sector.

If he was frustrated by his failure to ascend the ranks of federal wardenships, as his father had done, he found a bigger opportunity space in the emerging surveillance sector. Having worked at multiple levels of law enforcement, he had a thorough understanding of the priorities and pressures of each one. He could talk shop with low-ranking parole officers and private detectives, and dazzle recalcitrant directors at the federal prison with his knowledge of surveillance techniques. When anthropometry fell out of fashion, he rebranded himself a fingerprint visionary and advocated for the technique's widespread adoption. McClaughry was a successful surveillance entrepreneur, and his career perambulations granted him a unique capacity for strategic action across administrative and political fields. His versatile social skills, pragmatic creativity, and goal-directedness facilitated his ability to "build alliances and solve problems" in their respective fields (Anderson 2018, p. 174).

One example of McClaughry's innovations was a change in terminology for persons in police surveillance databases. At his urging, the CPD's Bureau of Identification—whose director McClaughry had trained—began referring to everyone in its database as "suspects," replacing the more neutral term "identified persons." Within

¹⁰ "Biographical sketch of Matthew Wilson McClaughry, Superintendent of Identification, Illinois State Penitentiary, Joliet, Illinois," page 3. Undated, unpublished manuscript notes. Chicago History Museum Box Misc.Pamph. McClaughry/F37DA/M121Z.

¹¹ "Biographical sketch of Matthew Wilson McClaughry, Superintendent of Identification, Illinois State Penitentiary, Joliet, Illinois," page 4. Undated, unpublished manuscript notes. Chicago History Museum Box Misc.Pamph. McClaughry/F37DA/M121Z.



a few years, the Bureau of Identification was tracking large numbers of “suspects” and highlighted those numbers in annual reports to the police chief and city council. Note that “suspect,” in these records, is a person alleged to have broken the law or to have socialized with persons who did. Because suspects were routinely inked and printed, fingerprinting itself was strongly oriented toward culturally profane meanings (Cole 2001). McClaughry and his fingerprint advocates assured a worried public that truly innocent people—people with nothing to hide—had nothing to fear. By fingerprinting and surveilling ever-larger numbers of people, McClaughry bragged, “I am enabled to know the condition of crime and criminals in Chicago as well, if not better, than most people in this city.”¹² The profane imagery of the fingerprint required both specialist decipherment and commonsense policing. Surveillance entrepreneurs attempted to wed “high” and “low” knowledge—the official, scientized fingerprint indexing at the central office, and the unofficial, embodied knowledge of wizened field detectives (Ginzburg and Davin 1980 on high and low knowledge forms).

The more “suspects” there were said to be, the more acute the threat to civil society and the more urgent the need for widespread surveillance.

Suspect talk had additional effects. It meshed with popular adventure stories in which good guys used clever methods to expose charlatans and crooks (Cawelti 1976). Significantly, the mysteries of surveillance and identification were made accessible to ordinary people—to skilled amateurs called Fingerprint Men. Linking the infrastructure of suspect data with civil codes of moral decency, Fingerprint Men were part of a reimagined social order in the United States. In this social order what mattered was not guilt itself, but rather the plausibility of a person’s association with anticivil elements. To see this, we need to return to the Jennings-Hiller case.

The Jennings case as surveillance narrative

Late September 1910. After news of the Hiller murder broke, reporters seized on the fact that fingerprints had been found on the exterior kitchen window trim, which had just been painted. At least one print was too smudged to be useful, because the paint was thick and wet in that section. Where the paint was tackier, the prints were less smudged. Newspapers did not mention that when CPD officers arrested Jennings, thirteen minutes after the Hiller murder, they searched his person closely but did not observe wet paint on his clothes, hands, or fingertips. The papers were ambiguous concerning the nature of his prior arrests. Jennings was charged in 1906 for property theft of a single watch and chain, for which he was sent to Joliet for “an indeterminate sentence.” He was sent back to Joliet in 1909 on a charge of parole violation (*Examiner* 9/21/1910, 3). When he was released in August 1910, it was on condition that he work with the prison reform group Volunteers of America. He had no record of violent crime.

¹² General Superintendent’s Report for the Year 1904, Chicago Department of Police. Report of Bureau of Identification, Jan. 1, 1905. Pages 109–111.



Chicago's Black community rallied to defend Jennings. In December 1910, a few days before Christmas, a ball was held to raise funds "to carry the case to the Supreme Court for a ruling on the admissibility of 'finger print evidence' in a trial" (*Palestine Daily Herald* 9/21/1910, 3). Jennings's lawyers asked members of the public to submit their own fingerprints in an effort to disprove the claim that no two fingerprints are alike: "by securing thousands of fingerprints they hope to show that a man's finger marks can be duplicated" (*Terre Haute* 11/30/1910). Black Chicagoans had reason to be wary of the institutions of law enforcement. They were blamed for "many new problems" including crime, unemployment, and lamentable "vice conditions" in primarily Black neighborhoods (*City Club Bulletin* 1919, pp. 75–76). As chronicled in *The Chicago Defender*, the hazards of being Black in public included unprovoked police harassment, pretext stops, and denial of basic protections from criminal victimization (*Chicago Defender* 1911, p. 1). Jennings's treatment fit a pattern of law enforcement arresting Black people for no substantiated reason (Muhammad 2010, p. 240).

But as the story was told and retold, Jennings was repeatedly identified as the only suspect, and that status solidified into guilt. The *Chicago Examiner* replicated his fingerprints on its front page and labeled them the definitive evidence against him (Fig. 2). It reported that Jennings went straight to the bedroom where the teenage Hiller daughters slept, and that the girls' screams woke up their father (*Examiner* 9/20/1910).¹³ In fact, each daughter slept in a separate bedroom, and Florence testified that she didn't scream because she thought the person in her room was her brother, Gerald. Her older sister testified that she didn't scream because she thought it was her father—Mr. Hiller having had a routine of checking on his kids in the night.¹⁴ And while neither daughter initially told police that the intruder assaulted her, they later testified that he had placed his hands under the nightgown "on the bare body." Dramatic portraits of Hiller's daughters, artistically enchainned with portraits of their benevolent parents, were counterposed with salacious allegations concerning Jennings's crime (Fig. 3). With each telling, Jennings encroached metaphorically and literally on the most intimate sphere of the household.

The surveillance narrative is located in a specific socio-historical setting. Chicago's Black population expanded from 30,000 in 1900, to 44,000 by 1910, and 109,000 in 1920. By 1935, 250,000 Black people lived in Chicago (Bay 2009, p. 278). By 1919, when six days of rioting tore through the city after a group of white men and boys murdered a Black child at a public beach, Black Chicagoans faced pernicious violence and discrimination. They also faced a police department that was largely indifferent to their victimization (Muhammad 2010, pp. 236–237). But in 1910, when Jennings was accused of murdering Hiller, some Black people still lived in majority-white neighborhoods (Bay 2009, p. 283). They worked as domestic laborers in white households (Marks 1985). They cared for white children, commuted to work with white people on public streetcars, and shopped in white-owned businesses. Thomas Jennings's arrest, conviction, and execution, then, was born of

¹³ This claim continues to be reported in stories about the Hiller-Jennings case: <https://www.smithsonianmag.com/history/first-case-where-fingerprints-were-used-evidence-180970883/>.

¹⁴ *People v. Jennings*, 252 Ill. 534 (1911): sec. 538.



Fig. 2 Front-page headline from a *Chicago Examiner* story about the Hiller case, announcing Jennings's guilty verdict. Latent fingerprint evidence was central to the prosecution's argument, and pictures of fingerprints circulated in a variety of popular media. November 11, 1910. Chicago Public Library Digital Collections

HILLER SLAYER IS CONDEMNED TO BE HANGED.

*And Here Is the
Fatal Evidence*



Fingerprints on Porch Convict
Jennings of Railway
Clerk's Murder.



CHICAGO EXAMINER

Hiller Suspect Is an Ex-Convict ★ ★ ★ ★ ★ Identified by Bertillon Method

At the top of the picture are Miss Florence Hiller, who identified the prisoner as the slayer of her father, and Clarence Hiller, who was killed. Below are Mrs. Clarence Hiller, the widow, at the left, and her oldest daughter, Clarice.

**Finger Prints on Window Sill
Reveal Him to Be Thomas
Jennings, Recently at Joliet.**

The true identity of the negro suspect arrested yesterday for the killing of Clarence D. Hiller, 1839 West One Hundred and Fourth street, chief clerk for the Chicago, Rock Island & Pacific Railroad, was discovered last night by Captain William F. Evans, finger print operator in the Bertillon Identification bureau at the Harrison Street Police Station.

The negro, who gave the name of William Jones, is really Thomas Jennings, an ex-convict from the Joliet penitentiary, who was paroled August 3. He was identified by means of finger prints he left on a window sill at the Hiller home. This is the first time since the installation of the Bertillon Identification system in Chicago that a criminal has been identified by this

CAVALIERI BOYCOTT DEBATED IN SOCIETY

Chicago Leaders Noncommittal, but Mrs. Delano Says She'll Go if She Chooses.

Following statements by prominent Boston women, including Miss Anne Boyle O'Reilly, who say they will boycott grand opera any night Lina Cavalieri-Chanler may appear, a question has arisen as to whether the social influence of the Astors, of whom "Bob" Chanler is one, is sufficiently great to affect the movements of social dictators in Chicago.

The Astors were a sole force in driving the diva from the Metropolitan Opera Company to Oscar Hammerstein, and they are said to be back of the movement to boycott Lina when she appears in grand opera.

Chicago women, boxholders and prominent opera-goers, when asked what stand they will take, have declared in many instances they will have to consider the proposition before deciding; others say nothing, while one—Mrs. Frederick Delano, wife of the president of the Webster Hallford—says flatfootedly that if she decides she will go to the opera on a night when Lina is appearing she will go—nothing will stop her. She does not believe the diva is worse than many other opera singers.

Boycott to Punish Diva.

Boston women say the manner in which Cavalieri has ridden rough shod over the feelings of her millionaire-artist husband is cruel and the manner in which she secured control of his wealth outrageous. As they have but one way of showing their displeasure—boycotting the opera every time she appears—they have decided to take advantage of that way.

Mrs. Delano says: "I am not an opera-goer, but I shall go to see Lina Cavalieri if I decide I want to see her. I do not believe she is any worse than many other opera singers."

Mrs. J. Ogden Armour: "I never speak for publication, but I don't know very

much about this woman and so have not given the matter much thought."

Mrs. A. L. Baker: "I will weigh the matter very carefully before deciding."

Mrs. Emmaus Blaine has engaged a box and she said: "I haven't the slightest idea what to do."

Fig. 3 Page Three illustration of the Hiller family, from a story about the case. The portraits of Mr. Hiller, Mrs. Hiller, and their daughters dramatized Jennings's alleged violations of the Hiller household. *Chicago Examiner*, September 20, 1910. Chicago Public Library Digital Collections



a cultural suspicion about social intimacy. It was Jennings's presumed co-presence with the Hiller household, and with everything that a respectable white neighborhood was meant to symbolize, that violated the "boundary relations" protecting the civil sphere from noncivil intrusions (Alexander 2001, p. 375).

Surveillance narrative as racial hoax

The Jennings case was one in a series of heavily publicized identity mix-ups supposedly resolved by fingerprinting. To take just three examples, in separate incidents in 1903, 1910, and 1913, Black men already in prison or suspected of criminal activity were said to have attempted to pass as someone else. The specifics of the cases varied, but the core features were consistent. There was an initial moment of confusion between different Black men deemed "criminals"; law enforcement was confounded; the public was said to be at risk; and then the mystery was solved, and civil society renewed, by fingerprinting expertise (*Terre Haute* 11/30/1910). Each case involved a man said to call himself "Will": Will West and William West at Leavenworth Prison in 1903; "Will Jones," the doomed Thomas Jennings, in 1910; and, in 1913, a case eerily similar to that of the pseudo Will Jones, namely William Jeffries at Leavenworth. The Jeffries story ran as follows:

Impressions of Negro Supposed to Be in Prison Turns up from Oklahoma Officer

Can there be two men with the same finger prints?

M.W. McClaughry, special agent of the Department of Justice, who is the finger print expert for the department, with offices in the U.S. penitentiary, says there cannot be, and this starts a mystery that officials in three states are now trying to unravel.

William Jeffries, a negro, was received at the United States penitentiary 3 years ago from Danville, Ill., to serve 3 years for post office robbery. He completed his sentence June 15 of this year. While he was in the local prison it was discovered that he was a parole violator from the Chester, Ill., penitentiary [...]

The "big puzzle" is how his prints got mixed up with another colored man.

Jeffries jumped from the train on his way to St Louis. He was captured and taken to a hospital in Jefferson City. While Jeffries was in the hospital, guarded closely by police, Matthew McClaughry received a new batch of fingerprints, taken from a group of prisoners in Oklahoma. After studying them, he claimed, he found that one set of prints "corresponded in every detail with those of Jeffries." If correct, this would have undermined the premise that no two persons' prints are identical. In the style of a serialized story, newspapers ran brief, tightly spaced updates on the matter and baited audiences with unsettling suppositions. If William Jeffries was a fraud, how many more Black men might be masking their own criminal histories? In every story, McClaughry was cast as the heroic law man striving to unravel the mystery. He told the press that he never doubted the infallibility of the fingerprint method. The matter was resolved when McClaughry determined that Jeffries had swapped his fingerprints with another man imprisoned at the same facility. The Sydney,



Australia *Sun* ran the story on July 28, 1914, and assured its readers, “The matter has been cleared up [and] we never for one moment doubted that everything would come out right in the case” (*The Sun* 7/28/1914).

Bluntly, there is reason to doubt the veracity of these stories. The “Will” stories were racial hoaxes, and they formed an especially terrible category of surveillance narrative. McClaughry deployed storytelling motifs associated with the hard-boiled detective genre (Cawelti 1976, pp. 139–160) and supported a crude surveillance epistemology shot through with racism, racialized stereotypes, and white nativist supremacy. His work helped to popularize the formula. First came the plausibly legible image that anyone can comprehend in a basic way; then the interpretation by a trained expert, whose pronouncement carried the implicit warning that untrustworthy intimates—unseen and uncountable—are always in our midst. In the “Will” stories, fingerprinting was used for more than law enforcement. It was a civil activity. Jennings, Jeffries, and the Wests were Black men who violated white people’s right to observe, track, and control Black people’s bodies. Their alleged movements violated cultural norms of racial separation and white authority. Narrated as violent, untrustworthy, and anti-establishment, the men encroached on moral boundaries around purity and pollution. The protagonist in these stories was surveillance itself. Its heroic capacity for observation and social control was theoretically infinite, if the good members of the public participated and believed in it.

The Will stories were good news for the fingerprinting business. Hoover wrote that they “dramatized [fingerprints’] infallibility” (Hoover 1972, p. 621). They were good news, too, for Matthew McClaughry. Each “Will” was foiled by McClaughry as the *deus ex machina* whose skillful use of fingerprints saved the day. As he bounced from job to job, McClaughry capitalized on the coverage. Letters written by him reveal that he personally provided press-copy to reporters and supplied drawings of fingerprints that could be printed alongside photos, crime scene maps, and other items of evidence. When the judge in the Jennings appeal asserted that “any intelligent person with good eyesight” could see, just by looking, that fingerprints were objective, he quoted McClaughry nearly verbatim.¹⁵ That idea, promulgated by surveillance entrepreneurs, was essential to the legitimation of Fingerprint Men as ordinary (white) people with good morals, common sense, and a bit of special training.

Entrepreneurs: monetizing the surveillance narrative

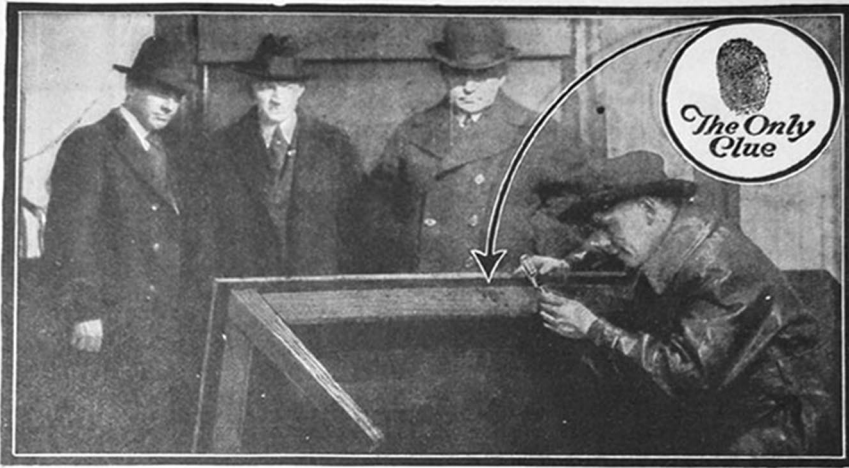
Citing its admissibility by the *Jennings* judges, elected officials and business leaders touted finger printing’s untapped potential for civic order. The stage was set for expanding surveillance culture into all domains of civil society.

Consider the following advertisement, for a fingerprint training course through the University of Applied Science (Fig. 4).

The ad ran in the classified section of the November 1922 issue of *Popular Mechanics* and recounted the thrilling story of “Warren Biglow, the Finger Print Expert,” who cracked a railroad robbery case. It reads:

¹⁵ *People v. Jennings*, 252 Ill. 534 (1911): sec. 550.





\$500 REWARD for TWO HOURS WORK

WARREN BIGELOW, the Finger Print Detective, was making his usual review in the morning newspapers. He had just finished reading the press reports of the daring robbery of the offices of the T—O—Company when the telephone on his desk rang. Central Office was calling, asking him to come immediately to the scene of the robbery. Although he drove his high powered roadster rapidly and arrived very shortly at his destination, he had plenty of time to consider the main features of the case as reported by the press. The job had undoubtedly been done by skilled cracksmen and robbers of uncommon nerve. Sixty-five hundred dollars in currency—the company pay roll—were gone. Not a single, apparent clew had been found by the police.

Finger Print Expert Solves Mystery

On his arrival, Bigelow was greeted by Nick Austin, Chief of Detectives, who had gone over the ground thoroughly. "Hello, Warren. Here's a job that has us stumped. I hope you can unravel it for us."

By this time, the district officers and the operatives from Central Office had almost given up the investigation. After hours of fruitless efforts, their work was at a standstill. They were completely baffled.

With lively interest and a feeling of relief they stepped back to await the results of the Finger Print Detective's findings. They were plainly awed at his quiet, assured manner. The

adroit old Chief himself was manifestly impressed at the quick, sure way in which Bigelow made his investigation. Almost immediately Bigelow turned his attention to a heavy table which had been tipped up on its side. Examination of the glossy mahogany showed an excellent set of finger prints. The thief might just as well have left his calling card. To make a long story short, his prints were photographed and taken to Central Office, where they were matched with those of "Big Joe" Moran, a safe blower well known to the police. Moran was subsequently caught and convicted on Bigelow's testimony and finger-print proof. Most of the money was recovered. In the meantime the T—O—Company had offered a \$500.00 reward, which was given to Bigelow—his pay for two hours' work.

Learn at Home in Spare Time

Could you imagine more fascinating work than this? Often life and death depend upon decisions of finger-print evidence—and big rewards go to the Expert. Thousands of trained men are now needed in this great field. The finger-print work of governments, corporations, police departments, detective agencies and individuals has created a new profession. Many experts regularly earn from \$3,000 to \$10,000 a year in this fascinating game. And now you can easily learn the secrets of this new Science in your spare time—at home. Any man with common school education and average ability can become a Finger Print Detective in a surprisingly short time.

Free Course in Secret Service

For a limited time we are making a special offer of a Professional Finger Print Outfit, absolutely Free, and Free Course in Secret Service Intelligence. Mastery of these two kindred professions will open a brilliant career for you.

Write quickly for fully illustrated free book on Finger Prints which explains this wonderful training in detail. Don't wait until this offer has expired—mail the coupon now. You may never see this announcement again! You assume no obligation—you have everything to gain and nothing to lose. Address

UNIVERSITY OF APPLIED SCIENCE
Dept. 13-52, 1920 Sunnyside Avenue, Chicago, Illinois

Why don't You be a Finger Print Expert?

UNIVERSITY OF APPLIED SCIENCE, Dept. 13-52, 1920 Sunnyside Av., Chicago

Gentlemen: Without any obligation whatever, send me your new, fully illustrated FREE book on Finger Prints and your offer of a FREE course in Secret Service Intelligence and the Free Professional Finger Print Outfit.

Name

Address

..... Apt.

Fig. 4 "\$500 Reward for Two Hours Work": advertisement for the University of Applied Science finger-print training course. November 1922 issue of Popular Mechanics, page 143. HathiTrust



Thousands of trained men are now needed in this great field. The finger-print work of governments, corporations, police departments, detective agencies and individuals has created a new profession. Many experts regularly earn from \$3000 to \$10,000 a year in this fascinating game. And now you can easily learn the secrets of this new science in your spare time—at home. *Any man with common school education and average ability can become a Finger Print Expert in a surprisingly short time.*

The Biglow story was a marketing ploy. In a different UAS advertisement, “Biglow” is spelled “Bigelow” and the details of the crime are finessed. Fictionalized though they were, such stories were doing important work. They instilled confidence and imagination in the readers. “Any man with common school education and average ability” could be a fingerprint detective so long as they were trained in decipherment. In fact, the ordinariness of Fingerprint Man was part and parcel of the logic of surveillance: everyday citizens observing each other, serving as conduits between law enforcement, private businesses, and the public (Weiss 1986).

From 1919, *Finger Print Magazine* was the UAS’s main platform for publicizing the business and building a loyal constituency. Fingerprint experts from around the country, including McClaughry, wrote in to dispense advice about how to decipher fingerprints and how to prepare for courtroom testimony in settings where fingerprint expertise might be doubted or rejected (*Finger Print Magazine* March 1924, p. 9). Fingerprint expertise was premised on having the right ocular purchase on the ridges and whorls. The human eye could be reliably aided by lenses, scopes, photography machines, charts, enlargements, special inks, and powder. For modest additional purchases, fingerprint students could obtain equipment to provide that aid.

From the outset, fingerprint experts insisted that each print required *decipherment*, or being “read” like a secret language that could provide clues to a person’s true nature. Decipherment entailed working through a “large but finite range of possible actions that are meaningful in terms of the rules of the game” (Whitson and Simon 2014, p. 310). Surveillance entrepreneurs added a second step, interpretation, which entailed pushing the limits of those rules to generate new cultural meanings. With their power to decipher fingerprints, Fingerprint Men were promised exclusive access to “the only clue”—or the excitement of seeing what nobody else could see at a crime scene. Visibility and invisibility, and access to the “real dope:” fingerprint work could be voyeuristic and fun (*Finger Print Magazine* 1920, p. 5). Those “innumerable little ridges” forming “little worlds in themselves” that had so riveted the early dactyloscopists were now the prerogative of Fingerprint Man to burrow into, inhabit, and own. In this way, fingerprinting captured the cultural imperative to control profane bodies.

The UAS developed elaborate techniques for collecting, curating, and commodifying prints. It taught its students how to transfer fingerprints from windowsills, glasses, and other objects and preserve them on slides and paper cards for microscope study. Prints, they recognized, must be made to come to life. UAS students were instructed to employ visual enhancements that could make whorls and arches jump off the page and appear three-dimensional. Enlargement, bold lines, color shading, and overlays—a popular device for comparing prints from two suspects—were the fingerprint expert’s stock in trade. When attacked by prosecutors



or defense attorneys for doctoring the evidence, Fingerprint Men were coached to explain their work through dramatic performance including blind-printing courtroom staff and then matching each one to his prints, passing a water glass among the jurors and asking the experts to identify the prints' source, and conjuring prints from plain white writing paper using invisible ink. As they made their demonstrations, Fingerprint Men narrated suppositions about defendants' motives and suggested that habitual criminality and moral degeneracy could be read into the fingerprints. News reporters lauded their abilities as "above the ordinary and perplexing," and circulated the belief that fingerprint experts' courtroom demonstrations and storytelling were increasingly decisive in criminal convictions (*Finger Print Magazine* 1921, p. 2). The dramatization of fingerprint narratives in courtroom demonstrations, in short, imbued fingerprinting with expanded cultural resonance.

Monetizing civil qualities in everyday surveillance

If fingerprints could be coded as civil activity separating suspects from innocents and racialized "deviants" from the law-abiding majority, they could also be read as indicators of industry, financial surety, and honesty in public affairs. The semiotic diversification of fingerprinting was made possible in part by the visual enhancements deployed in dramatic courtroom demonstrations and in newspaper stories. Visual enhancements were specifically related to the fingerprint's emergence as monetizable objects that could be detached, circulated, and then re-attached to the subject. Fingerprints, an American jurist pronounced in 1923, were not simply "testimony *about* his body, but his body itself" (Sengoopta 2003, p. 112). Circulating as body parts for sale, fingerprints took their anonymous bearers into spaces of observation and scrutiny beyond their control.

Fingerprint Men were trained to build registries of fingerprints and use them to economic advantage. A passage in a 1922 edition of *Finger Print Magazine* made the following claim:

Of course, there's a big opportunity for you men right now. Take Walter Le Brown of Ark City, Kansas, for an example. He wrote me a letter the other day that shows what finger print identification offers a practical business man. He has established the three-finger system in over 70 stores and banks. He is establishing a personal insurance Identification Bureau. He is making over \$700 a month and the only reason he isn't making more is that he has not been able to get trained men to help him.

Sniffing out a fortune in the financial sector, he simplified the fingerprinting protocol and took the identification bureau out of the police station and into the bank. \$700 a month would have been a competitive salary, putting Le Brown well above the top of the paygrade at major metropolitan police departments.¹⁶ The passage continues,

¹⁶ "Salaries of Officers and Members of Police Force and Fire Department, District of Columbia." Subcommittee of the Committee on the District of Columbia, House of Representatives, United States Con-



These private bureaus are needed all over the country. [...] Le Brown has a lot of pep and foresight. "I'm stirring up more interest in this town than T.R. [Teddy Roosevelt] could. I am going to have a hand in Universal Finger Printing," he says. He knows that by helping the country he's helping his own business and giving a push to the other men in his profession. That's the spirit! (*Finger Print Magazine* 1922, 2)

Touted here were new surveillance services marketable to the financial sector. The material fingerprints were the bank's property, being data that they paid for, but the labor of *analyzing* them was Le Brown's. The idea was that he would keep a second set of prints and assemble a comparison pool that could be used across institutions. That was the genius of the model. The bank retained the primary data records, but those records were useless to the bank without an expert; and the expert amassed a stockpile of fingerprint data that could be recombined to be of service to new problems and questions in a range of institutional settings. But how much of this account is true? The only source chronicling Le Brown's business success was *Fingerprint Magazine*. That there was an actual person named Walter L. Brown in Ark City at that time can be ascertained by public records. The 1930 US Census lists a man by that name, along with his wife and two children. His occupation is listed as railroad switchman, a solidly middle-class position in a region dominated by three national railway companies.¹⁷

Instead of using the Le Brown story as historical data, I suggest we think about it as a *mythos* of American civil society. An archetypical Fingerprint Man, Le Brown stood for the moral codes that undergird fair financial relations, including transparency, mutual care, and hard work. Lending institutions were willing to pay for fingerprinting because the procedure was delivered in such a way that customers' fears of indignity and stigma were mitigated. Bank clients could remain seated, wipe their inked fingertips on moistened cloth, and offer three fingers per hand rather than five—a change that was materially more efficient and symbolically less obtrusive. And whereas crime suspects were fingerprinted to protect the public from them, bank customers were fingerprinted to in order to protect them from fraudsters. Fingerprinting was part of the broader cultural shift in thinking about surveillance as a tool for maintaining moral order throughout social life (cf. Lauer 2017 on financial surveillance). Finally, the Le Brown story, fabricated or real, replicated McClaughry's formula for transforming civic ideals into hard cash. It would continue to be a successful strategy for engaging the public in mass surveillance. Vigorous capitalists though they were, Fingerprint Men narrated themselves, above all, as

Footnote 16 (continued)

gress, pages 1–2. January 14, 1924. In Washington, DC in 1924, entry-level police officers were paid on a fixed salary grade of \$1800 per annum. Chicago salaries were similar ("Salary Trends, Firemen and Policemen, 1924–1964," Bureau of Labor Statistics Bulletin No. 1445, April 1965, pp. 1–3. United States Department of Labor.

¹⁷ Archivists from the Kansas Historical Society were unable to locate records from Ark City lending institutions attesting to Le Brown's direct involvement with them, though it is clear that some nearby businesses adopted fingerprint procedures around the time. (*Pers. comm. Lou Tharp, June 2020*).



loyal citizens working quietly and without fanfare to uphold values of patriotism and patriarchy (Spiker 1921).

Conclusion: the poetics of mass surveillance

To explain the expansion of surveillance, I have suggested, it is not enough to look at the Bush doctrine or Google's IPO. We need to examine the interpretive space from which such instruments arise. With a strong approach to surveillance culture, we can better understand why people were willing to undertake fingerprinting, why it was gradually accepted, and how it became embedded in American society. I have argued that fingerprinting was as much a cultural practice as a legal one, and that when analyzed as a civil activity, it reveals the work of deep cultural codes surrounding social trust, civil inclusion, and race relations.

Fingerprinting was not the first method of mass identification, and it was not the most glamorous. The competitor surveillance practice, anthropometry, combined the photographic image and precise measurements to give an informationally dense picture of a person's sex, age, physical size, probable social class, and racialized features. All of this is left out of the fingerprint. What fingerprints do offer, however, is a supple cultural device. Narrative was essential to turning the fingerprint into a semantic resource, "able to generate a never-ending set of understandings and claims" (Sciortino 2012, p. 14). The Fingerprint Man acted as interpreter and broker of evidentiary "truth" and anchored the print by drawing on multiple texts and images. In this way, narration turned the simple transfer of finger lines into a symbol embedded in the civil/uncivil binary.¹⁸ In sum, it was through human meaning-making activity that fingerprints became icons capable of condensing "complexity and uncertainty, jamming common sense into particular ruts or triggering networks of proliferating metaphor and figuration" (Smith 2008, p. 26). Fingerprinting gained traction and surpassed competing methods because it offered a culturally resonant image, one capable of generating rich narrative lines through which people continually tested and reconfigured civil codes.

The qualities, relational practices, and goods that were valued by private eyes, citizen watchdogs, and Fingerprint Men were translated into exclusionary boundaries for civil sphere participation. "Nothing to hide" implied core civil norms of behavior, being morally unblemished, willing to relinquish anonymity, complicit with policing, supportive of moral teachings, and hierarchical in the sense of accepting that deviants deserved to be observed, caught, and prosecuted. Anticivil institutions and factions, in sum, intruded into the civil sphere draped in the pseudo-talk of cherished civic virtues needing to be "rescued" from danger. Surveillance narratives twisted civil qualities into a weapon to wield against anyone unwilling to submit to observation and data collection. Resisters were tarred with the brush of anticivil relations. They were said to be secretive, suspicious, deceitful, calculating, and antagonistic. The more a person objected to surveillance, the

¹⁸ I am grateful to Anne Marie Champagne for this insight.



more vulnerable she was to accusations of malfeasance. Those willing to surveil and to be surveilled were lauded as open, trusting, honorable, and deserving of civil inclusion.

Surveillance entrepreneurs possessed conjectural knowledge, being adjacent to but not fully part of the realm of elite, formal knowledge. They did not necessarily exercise state power directly. Instead, they leveraged diagonal power—a politics of everyday stealth and evasion, “a politics that ‘dare not speak its name’” (Scott 1985). Resisting the demand for more statistics and more proof, McClaughey, Le Brown, and their fellow Fingerprint Men offered speculation and imagination. The imaginative possibilities of fingerprints amplified public hysteria about untrustworthy intimates and elevated the Fingerprint Man to self-appointed civil savior.

As so often in the history of the American polity, Black and brown bodies were required for the extraction of value from surveillance data (Browne 2015; Byfield 2019; Nakamura 2008; Rios 2011). One of the most consequential developments of the modern surveillance infrastructure for people of color, sociologist Simone Browne argues, is “the making of the black body as out of place, an attempt to deny its capacity for humanness” (Browne 2015, p. 98). Browne’s insights illuminate a question relevant to my account: Why did surveillance technologies overcome initial public resistance and steadily expand into all domains of social life? I have suggested that the answer lays in the cultural forms of mass surveillance practices, including narratives rooted in anticivil discourse and relational qualities. The effectiveness of the surveillance narrative is in its gesture toward a potentially endless landscape of social ills and combinations of surveillance practices to combat them.

By treating the Jennings–Hiller case and other period episodes not as strictly factual accounts but as narratives, we gain better analytical purchase on the historical unfurling of surveillance culture. Narrative analysis, coupled with concepts from civil sphere theory, challenge the prevailing view that the foundations of surveillance capitalism are located in a new set of ideologies ushered in by the 9/11 security state. It was local, private sector surveillance entrepreneurs in the early-twentieth century who spurred perhaps the most highly consequential development in the accumulation of surveillance capital: monetizing the production of observational data from human beings in the guise of democracy.

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