

N.Y.T. 12/30/70

J. Edgar Hoover — Time to Retire



Joyce Donkoon/New York Times
Judge Brooks

By JUDGE LAWRENCE G. BROOKS

The recent tiff between J. Edgar Hoover, Director of the F.B.I., and Ramsey Clark, former U.S. Attorney General and Hoover's former boss; also Hoover's somewhat pointless reiteration of a previous charge that Martin Luther King was a liar, bring to the fore a question increasingly posed: "Is it not time for Mr. Hoover to retire?"

He has served the country in a highly responsible post for over half a century. He has been a valiant fighter for "law and order" particularly against the so-called underworld whose activities have reached menacing proportions. He has been very diligent in curbing subversive activities. It is chiefly in this field that he has become a controversial figure, for it is not always easy to distinguish between subversive activities and legitimate dissent.

I use the word "retirement" in the voluntary sense, because no person in authority seems anxious to try to force his retirement. No President from Coolidge to Nixon has moved to bring about his replacement. In other words, he is "sitting pretty" to the extent of being virtually sacrosanct. There is an impression that on occasions he cashes in on this situation and that is not altogether healthy. In short, it would seem at the moment that if Mr.

Hoover is to retire it will be only on his own initiative.

I hope the Director of the F.B.I. will voluntarily retire. I commend to him a statement made by Abraham Lincoln in his message to Congress Dec. 1, 1862: "The dogmas of the quiet past are inadequate to the stormy present. As our case is new so we think anew and act anew. We must disenthrall ourselves."

Mr. Hoover is 75 years old. Granted that there is no impairment of faculties, there is an enormous change in the world since he started his career with the Department of Justice in 1917. It is hard for most elderly people to adjust to present conditions. There is accumulating evidence that Mr. Hoover has not adjusted. This may in part be due to his early associations.

In 1919 he became special assistant to Attorney General A. Mitchell Palmer. In June of that year a misguided individual attempted to assassinate the Attorney General by placing a bomb in the vestibule of his home in Washington, D.C. Had the bomb gone off as planned, Palmer would have been killed. The bomb, however, exploded outside his home and its bearer was literally blown to pieces. He was never identified.

The Attorney General was badly shaken by this experience. Seven months later the Department of Justice staged the so-called Red Raids, in which on one night throughout the country some 3,000 persons "suspected" of being "dangerous aliens" were arrested and taken to the nearest lockup. It quickly turned out that many of the arrested were neither aliens nor dangerous. All this has been documented. These raids present perhaps the sorriest episode in the history of our country, not excepting the era of Senator Joseph McCarthy. The Red Raids were badly conceived, clumsily and brutally carried through, in brazen disregard of decency.

The purpose of recalling the foregoing is that J. Edgar Hoover was at the time special assistant to the Attorney General and must have been quite aware of the whole business. I know he was in Boston at least once, because I saw him there. Greatly troubled at accounts of what was going on, I had volunteered my services to help defend some of the arrested.

A curious aspect of Palmer's part in the raids was that they were so at variance with his Quaker back-



Neal Boenzi/New York Times
Mr. Hoover

ground, which he had given as a reason for declining the post of Secretary of War, earlier offered him by President Wilson. His conduct can perhaps be best explained by the sequence of events—his terrifying experience with the bomb, then those savage raids.

I have not heard that Hoover ever expressed disapproval of the raids in whose planning he must have participated, or at least known about. Either he felt constrained not to disagree with his boss or he approved of his actions. I suspect the latter. At any rate, the top law officer of the United States flaunting the fundamental law of the land was hardly a happy example to his young assistant. I would fear that if a comparable period of hysteria should again afflict our people and Hoover were still in office, he would not be found with those who believe in government by law.

J. Edgar Hoover has "enthralled" the American people for many years. That is said without disparagement of his services during those years. Now the time has arrived when in Lincoln's words: We must think and act anew—"We must disenthrall ourselves."

Lawrence G. Brooks retired Oct. 31, 1970, after 42 years of service on the First District Court of Eastern Middlesex, Mass. He celebrates his ninetieth birthday Feb. 21.