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The Cointel Scandal

EVEN THOUGH J. Edgar Hoover's record for petty vindictiveness is long established, there are aspects of last week's disclosures by the staff of the Senate Intelligence Committee that truly tax the imagination. The FBI used anonymous mailings to the head of the Black Stone Rangers to make him believe the Black Panther Party had a contract out on his life. The Bureau hoped this would cause the Rangers to go out and shoot "some or all" of Chicago's Panthers. Again, false and anonymous statements were sent to the spouses of civil rights sympathizers alleging infidelities and thus actually helping to break up marriages. A letter to Dr. Martin Luther King, Jr., along with a tape recording illegally made by the FBI, was calculated to encourage his suicide. As Sen. Philip Hart of Michigan observed, such episodes had been alleged to have occurred by civil rights and peace activists at the time when they were occurring. He said his family confronted him, in the 1960s, with such accusations of government misconduct—and he dismissed these charges as overwrought fantasy. He was not alone in that. Many serious-minded parents considered their youngsters' claims of this sort of activity as "paranoia." When the FBI's turn before the Senate Intelligence Committee came, it acknowledged—in effect—that Sen. Hart's children, and thousands of others, alas, had it right.

What should be done now? What can be learned from this incredible pattern of abuse? At a minimum it becomes plain that no single individual should again be allowed to run an agency of the importance of the FBI for a half-century. That is in fact a very bare minimum. So is the requirement that the FBI henceforth receive the most searching oversight Congress can conduct. Bureau-Hill relations must never again be permitted to become the loose amiable affair they were in the days of Mr. Hoover and Rep. John Rooney.

There is another point to be made: these activities could not have gone forward if the Presidents and Attorneys General under whom Mr. Hoover nominally served had not averted their supervisory gaze at critical moments. As with the matter of assassinations and the CIA, a President cannot be found innocent of complicity in such acts without simultaneously being found guilty of extraordinary negligence. And precisely because so much more than the FBI was involved in the counterintelligence program, it is not clear to us that the Senate Intelligence Committee's revelations are thoroughly even-handed. They are damning of Mr.

Hoover and some of his aides, for instance, but skimpy on the details of what was happening in the Justice Department and the White House while all these bizarre undertakings were being concocted at FBI. At least two Democratic Presidents—Kennedy and Johnson—and their Attorneys General must have been aware of these activities or in a position to become aware if they so chose.

Sen. Frank Church, the Democratic chairman of the intelligence committee, has been accused of underplaying the role of Democratic officials in the Hoover excesses. It is possible that he has disclosed as much as the record shows of what those officials did either to deter or encourage Mr. Hoover. Nonetheless, there appear to be some gaps in the report the committee staff made the other day, and Mr. Church should be quick to lay to rest any intimation that Democrats have been protected in his inquiry. The fact that it was during Robert F. Kennedy's leadership of the Justice Department that the wiretaps were placed on Dr. King in itself suggests a need for more explanation of 1) his role, 2) that of President Kennedy and, 3) the subsequent role of President Johnson. The violations of the constitutional rights of so many citizens was so profound that any hint of partisanship in this aspect of the Church inquiry should be dispelled. The inquiry should be even-handed—and appear to be even-handed.

Other questions remain to be answered as a result of these latest disclosures. Whatever the malefactions of which Mr. Hoover might have been guilty, he didn't act alone. A whole hierarchy within the Bureau was responsible for the most serious violations of citizens' rights. It would be reassuring to hear from Attorney General Edward Levi that he and FBI Director Clarence M. Kelley have taken steps to see that no vestige of the counterintelligence machinery—or its key personnel—are permitted to remain in place. Once before, the American people were assured by the FBI that this program had been disbanded, only to discover that parts of it were still under way.

It is a sufficient irony that the new FBI building should be named for the man who increasingly emerges as the perpetrator of massive, systematic and vicious violations of the constitutional rights of American citizens. At least we should have the assurance that the remnants of his law-breaking within that building have been eliminated.