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Politics and the FBI

Even when an Attorney General offers to set the record straight for you, it may be a good idea to have a look at the record—just to see how straight he's actually setting it. "Let me set the record straight here and now," Attorney General Mitchell said the other day in a speech at Cincinnati. "On April 14," Mr. Mitchell went on forcefully, "the senator (Senator Edmund Muskie) made a lengthy speech claiming that the FBI makes 'general political surveillance' of members of the Senate." And then Mr. Mitchell intoned a solemn, inexorable refutation: "The FBI does *not* conduct general political surveillance of senators, congressmen or anyone else."

Now, it is important in assessing this record to pay close attention to the internal quotation marks in the attorney general's declamation. It is perfectly true that Senator Muskie in his speech to the Senate spoke of "general political surveillance." It is not true, however, that he spoke of general political surveillance of *members of the Senate*. That little phrase "members of the Senate" was supplied by the attorney general—entirely gratis, of course. He conscientiously kept it outside the quotation marks; the use of it, nevertheless, gravely skewed the senator's meaning.

Senator Muskie referred in the course of his speech to "surveillance over environmental groups and gatherings," to "widespread surveillance over Earth Day last year," to "secret surveillance which produces secret files to be used by unknown persons" and to "unnecessary surveillance over lawful activity in our nation." These seem to us entirely legitimate senatorial concerns. They ought to be of even more intense concern to an attorney general. But Mr. Mitchell is content to say of the senator that "he twisted the facts to make a political headline, and he owes an apology and a retraction to the FBI and Mr. Hoover." Who twisted the facts to make a political headline and who owes an apology and a retraction to whom?

Of course, the attorney general is not alone in this kind of game-playing. Vice President Agnew, addressing the Southern Gas Association convention in New Orleans on Monday, also sprang—wholly nonpolitically, of course—to the defense of Mr. Hoover and the FBI. There is a robust quality to the Vice President's prose style which can be appreciated only through extended quotation:

While the attacks (on the FBI and J. Edgar Hoover) appear to be as well orchestrated as if they were being performed in concert by the professionals of disruption, this latest assault is from another direction. It gives off an unpleasant political odor—perhaps for the first time in FBI history—and it comes mainly from presidential aspirants who apparently foresee some political accretion from the radical left if they challenge the integrity of the FBI and its long-time director. These opportunists are being aided and abetted by certain of their

friends in the liberal news media who automatically shout "Right on!" every time someone claims his civil liberties have been threatened, regardless of the transparency of such charges.

With this off his chest, Mr. Agnew said—so far as we have been able to learn, without a trace of merriment—that "in recognition of the nonpartisan nature of the FBI, I shall endeavor to keep politics out of this." It strikes us as something of an incongruity to hold that people who criticize the FBI are playing politics, while those who extol it are not.

Criticism of Mr. Hoover on account of his age is particularly offensive to the Vice President who reminds us that "three justices of the Supreme Court are over 70" and that "at least 14 members of the House of Representatives among those who list their age are over 70." This newspaper has a pretty consistent and nonpartisan track record on gerontocracy. We can't help wondering if Mr. Agnew would feel inconsolable if the three oldest members of the Supreme Court were to retire; in any case, the Constitution, for good reasons, gives them life tenure. And we feel obliged to remind him that members of the House of Representatives, regardless of age and eminence, are—unlike Mr. Hoover—subject to popular election every two years. Besides, it is not so much Mr. Hoover's age that troubles his critics as the length of his tenure—47 years, so far—at the head of an agency which wields immense power, engages in "general political surveillance" and maintains secret dossiers on an unknown number of Americans.

The Vice President says that the real reason for the current criticism of Mr. Hoover is that he "is anathema to the New Left and extremists of every stripe, and he doesn't mince words in calling attention to them as dangerous to the country." Well, Mr. Agnew is a little off there, we think. The real reason for the current criticism of Mr. Hoover by a great number of responsible, patriotic, concerned citizens, old and young, right and left, is that he, like the Vice President, is excessively addicted to defining as "dangerous to the country" anyone critical of *them* or of the war in Vietnam or of the administration's policies. And if Mr. Agnew has any doubt about this, let him read the resolutions adopted last week by the White House Conference on Youth.

We submit that the FBI's quality, performance and range of activity are legitimate subjects of political concern and controversy in a self-governing country. We think the FBI's director ought to be challenged and questioned and called to account just like an ordinary mortal. We believe that an inefficient FBI with a director fighting the battles of a bygone era is a threat to national security and that an overreaching FBI which equates political nonconformity with subversion is a threat to liberty. There could hardly be a more appropriate political issue in a democracy.