

James J. Kilpatrick: Stripping society of defenses

Through a nice ironical conjunction of events, the same holiday week that saw the release of a report from the Assassinations Committee saw release of a report from the Senate Subcommittee on Internal Security. We never learn our lessons. We just keep repeating them.

This was a farewell address from the Senate subcommittee. The new chairman of Senate Judiciary Edward M. Kennedy of Massachusetts, is disbanding the staff and disposing of the files that once provided some insight into domestic terrorism and

espionage. The outgoing chairman, James Eastland of Mississippi, delivered a valdictory:

"It should be cause for reflection," said Eastland, "that virtually no one in the media, no one in the Congress, and no one in the administration realizes just how far we have gone in stripping society of the ability to defend itself and defend its citizens, in consequence of the exaggerated and undiluted emphasis on privacy."

Eastland provided some disturbing examples. Be-

cause of laws preventing employers from inquiring into the criminal records of job applicants, a Chicago nursing home unknowingly hired an arsonist. The United States Army, seeking to hire computer security specialists for highly sensitive, secret work, was told that Civil Service regulations prohibited a background check for top secret clearance.

In recent years, owing to an obsessive solicitude for privacy and for civil rights, virtually every mechanism for investigating domestic subversion has been systematically destroyed. The old House Committee on Un-American Activities vanished long ago. The Senate counterpart goes out as Kennedy comes in. State and local governments, Eastland said, have permitted or even encouraged "a massive erosion" of law enforcement intelligence. The Texas Public Safety Division destroyed its files four years ago. Washington, Los Angeles, New York, Baltimore, Pittsburgh and other major cities similarly have locked up or burned their records on violent activists of the Left and Right.

Eastland reports flatly that "informants are rapidly becoming an extinct species." The Freedom of Information Act has been abused so often that an informant's identity no longer can be protected from compelled disclosure. Electronic surveillance has been drastically restricted. Federal, state and local law enforcement agencies no longer can exchange information on suspected terrorists.

Everything in this area is drying up. The head of the Secret Service told Eastland's subcommittee that the Service is getting only 25 per cent of the information it used to receive. It wounds the tender sensibilities of Nazis, Klansmen, Communists and anarchists even to inquire into their activities and associations. It is as if a farmer, out of a bizarre respect for the rights of horse thieves, had decided to leave his barn doors unlocked every night.

How has this shocking situation come about? It has resulted partly from past abuses by law enforcement agencies, notably the FBI. But it also has resulted from

the policies, attitudes and the naivete of the liberal community — from the overreaction of the kind of liberals who dominated the House Select Committee on Assassinations.

One sighs, therefore, to read the recommendations of the House members. Having had a hand, directly or indirectly, in dismantling our mechanisms for internal security, what do they ask? They ask that the mechanisms be put back together. They urge new legislation to protect us from conspiracies, kidnapping and assassination. They want a fresh look at restrictions on the use of informants and electronic surveillance devices. They want to coordinate "the gathering, sharing and analysis of intelligence information."

What is required is a sensible balance between civil rights and common sense. John Gacy, suspected of 32 murders in Illinois, may have rights of privacy, but these rights ought not to be construed, metaphorically speaking, in order to protect him in seeking a job as counselor in a home for orphan boys.