

REFLECTIONS

THE NEW JUSTICE

“... President Nixon may not have been fully aware of what his subordinates in the Department of Justice were actually doing when they devised the new anti-crime laws or when they put down the Mayday threat. Indeed, it is even possible that neither he nor the deputy to whom he gave the greatest trust and responsibility in domestic affairs, former Attorney General Mitchell, realized what such policies could lead

“The most common commu-

“In the prosecution of Dr. Daniel Ellsberg and of Father Philip Berrigan and six other defendants in Harrisburg, grand juries have been employed to harass and intimidate associates, friends, and relatives of the accused. For instance, a federal grand jury in Los Angeles summoned Ellsberg's fifteen-year-old son at seven-thirty one morning to appear before it at nine-thirty the same morning, and then grilled him for over two hours on what his father had told him about the classified Pentagon Papers, which had been published in several newspapers.”

“... President Nixon may not have been fully aware of what his subordinates in the Department of Justice were actually doing when they devised the new anti-crime laws or when they put down the Mayday threat. Indeed, it is even possible that neither he nor the deputy to whom he gave the greatest trust and responsibility in domestic affairs, former Attorney General Mitchell, realized what such policies could lead to. As largely political men, they have often seemed to view the power the people have given them to do what is fitting as power to do as they see fit.”

“The most common communication carriers, of course, are telephone companies. For many years, they were reluctant to assist agents who wanted to place wiretaps, because that would have betrayed customers and subjected the companies to highly unfavorable publicity;

Dr. Daniel Ellsberg and other Father Philip Berrigan and six other defendants in Harrisburg, grand juries have been employed to harass and intimidate associates, friends, and relatives of the accused. For instance, a federal grand jury in Los Angeles summoned Ellsberg's fifteen-year-old son at seven-thirty one morning to appear before it at nine-thirty the same morning, and then grilled him for over two hours on what his father had told him about the classified Pentagon Papers, which had been published in several newspapers.”

“The system has survived this

given them to do what is fitting as power to do as they see fit.”

would have betrayed customers and subjected the companies to highly unfavorable publicity; moreover, the procedure was costly and time-consuming, and it was awkward to accept payment either openly or covertly. Now, however, all the repairmen and installation men working for telephone companies must, under federal law, place wiretaps on request—not in the District of Columbia alone but throughout the country.”

“The system has survived this long largely because no President before now has used, or allowed to be used in his name, the people’s deepest fears to divide them and to turn the majority’s tyrannical instincts against his political enemies. No one can say that the President has willfully set out to undermine the Constitution that he swore to uphold. But how would the results be different if he had?”

From an article by
Richard Harris
about the erosion of
our Constitutional
guarantees,
appearing this week in
The New Yorker.
Yes, The New Yorker.