

The FBI and Civil

By Tom Wicker
New York Times

IN THE FALL of 1963, with a major civil-rights bill pending in Congress, Attorney General Robert F. Kennedy was in a quandary about Martin Luther King Jr., the eloquent Southern churchman who was at that time at the peak of his popularity.

As one Kennedy Administration official recalls it today, "The Administration's prestige and, in a sense, its future, had been committed to King, his record and his kind of leadership and his integrity."

But J. Edgar Hoover and the Federal Bureau of Investigation had raised an ominous question in 1963. Their surveillance, Hoover insisted, showed that in King's circle of associates in the Southern Christian Leadership Conference there were two "hard-core, controlled Communists," one of whom Hoover believed to have direct links to a Soviet "apparatus."

If this information was accurate, it was obviously a serious matter. The FBI allegations were regarded as so dangerous within the Kennedy Administration that President Kennedy himself invited King to the White House, explained the situation to him, and asked King to dissociate himself from the accused men.

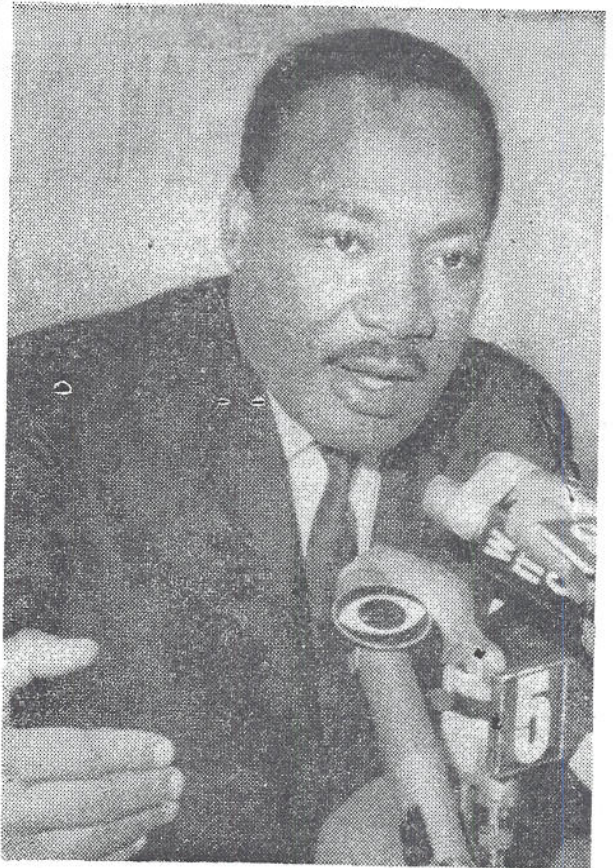
King left the impression that he would do so, but by the fall of 1963 they were still in his entourage. Hoover was insistently demanding authorization from Robert Kennedy to place a wiretap on King's phones, so that — he hoped — the truth of his charges could be proven.

In the fall of 1963 — not long before President Kennedy's death — Robert Kennedy authorized such a tap. He did so, according to associates, who knew of his action at the time, not to prove Hoover's charges, but as he believed, to disprove them.

On Nov. 18, 1964, just over a year later, in an uncharacteristic three-hour meeting with a group of Washington newspaperwomen, Hoover said that King was "the most notorious liar in the country" for having said — as King had said many times — that FBI agents in the South were failing to act on black complaints because they were Southerners.

This set off one of the larger controversies of the director's career, but he refused to retreat. In a speech he delivered at about that time at Loyola University in Chicago, in reference to civil-rights groups, he spoke of "zealots or pressure groups" and added the words "spearheaded at times by Communists and moral degenerates."

Rights



Martin Luther King: His phones were tapped

To those who knew of the wiretap, the latter remark was a clear derivation from it — and also from the prior “bugging” on which they suspected Hoover might have based his original allegations about the supposed Communists in the King entourage.

There can be no question that this supposedly confidential and unsubstantiated information was widely circulated. One recipient of this material was a newspaper, the Washington Star.

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THE KING EPISODE shows that the possibilities inherent in the FBI's files are no laughing matter. Hundreds of thousands of individual dossiers on Americans exist in those files — and at Hoover's insistence the material contained in each is not “evaluated” for accuracy or substance. It is “raw” material, some of it gathered as the King material was, most of it from informants of varying quality and reliability.

Precisely how much bugging and tapping, authorized or otherwise, has gone into the collection

City police chiefs find the FBI men poorly trained, unimaginative

of FBI information probably no one really knows — perhaps not even Hoover.

The present attorney general, John Mitchell, also argues that his power to authorize national security wiretaps without advance court approval can be extended to cover “domestic” threats to national security from dissident individuals and organizations — an argument not yet sustained by the courts. It is under color of this claim, apparently, that the FBI has been using listening devices in its surveillance of the Black Panthers.

The great power that is inherent in Hoover's position is the threat to disclose information in the files, gained by whatever means. In fact, Hoover does not even have to make such threats, and probably never does.

“He's sitting on all that material down there,” says a man who served in the Cabinet, “and there's not really any evidence that he uses it, not that I know of, anyway. But people think, ‘What's he got on me?’”

Moreover, just as the King material became available in ways not always directly attributable to FBI leaks, files on individuals can be obtained secondhand. In the heyday of Senator Joseph R. McCarthy, the Wisconsin Communist-hunter had ready access to FBI files — but not, according to persons familiar with the McCarthy committee's operations, through imprudent leaks from an experienced bureaucrat like Hoover. The committee got them from other agencies which had obtained them through legitimate channels, from military intelligence, for instance.

Big public leaks are not all of the problem either. President Johnson, who ordered all wiretapping and bugging — except for so-called “national security cases” — stopped during his Administration, nevertheless succumbed regularly to the lurid charms of the numerous reports on personal behavior that Hoover used to send him.

“I sought to invite his confidence; and before long, lunching alone with me in a room adjoining my office, he began to reciprocate by sharing some of his extraordinary broad knowledge of the intimate details of what my associates in the Cabinet did and said, of their likes and dislikes, their weaknesses and their associations . . . and I confess that, within limits, I enjoyed hearing it . . .”

So recalled Attorney General Francis Biddle in an account that suggests with chilling blandness the taproot of Hoover's power in Washington, the enormously dangerous potential of any man in his position, the ease with which the deadliest stiletto of information might be slipped into the back of an unsuspecting victim.

Yet, even the King case, and the others cited, have to be placed in the perspective of Hoover's 47

years of almost single-handed control of the FBI. In that perspective, with regrettable exceptions, he nevertheless appears to have maintained the integrity of those voluminous and dangerous files better than men of less will and character might have.

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WHATEVER THE potential for trouble with the files, it is in other areas that the gravest weaknesses of Hoover's FBI are to be found.

The FBI is not as good as it ought to be primarily because of the advancing age, fixed attitudes, bureaucratic inwardness and political impulses of a director equipped with all but dictatorial power and status. What J. Edgar Hoover created, he now circumscribes.

Thoughtful students of the modern crime situation, including some who helped develop the National Crime Commission's report, argue that the FBI has little if any knowledge of or interest in

'Raw' material gathered on individuals varies in quality and reliability

some of today's most pressing law-enforcement problems — patrolling the black ghetto, police-community relations, the allocation by city police of scarce manpower and resources, co-operation and co-ordination with other law-enforcement agencies.

Even one of Hoover's major achievements, the FBI Academy, is said to have been affected by this stultification of viewpoint. Its curriculum is no longer as relevant to the local policeman as it once was. “Hell, they're still teaching them to shoot submachine guns out there,” commented one critic.

There are even indications that the most modern scientific crime detection techniques may be coming, not from the FBI lab, but from other agencies. It was the Atomic Energy Commission that developed a neutron activation analysis test recently used to prove, for instance, that dirt samples recovered from a truck came from the red earth of Georgia; Nicholas Katzenbach, learning

FBI Director J. Edgar Hoover's surveillance of Martin Luther King Jr. put Attorney General Robert Kennedy and his brother, President John F. Kennedy (shown at right with Hoover), in a quandary; Kennedy's administration was predicated on the civil rights movement led by King before his assassination



from the Crime Commission, pushed the FBI into the use of computers for a crime data center.

All of this, taken with the FBI's continuing willingness to grab credit without taking any blame, may also be undermining one of its most important functions — setting an example for other law-enforcement agencies — “policing the police.”

Taking all such factors together, one academic student of police procedures and attitudes in America believes that the FBI remains an “elevating force” mostly for corrupt or inefficient police forces; for them and for some small-town forces, the bureau is an enduring model of discipline, agent integrity and — for most local police — training.

This is not the case, however, for efficient big-city police forces. The police chiefs and commissioners of 21 major cities meet every year; one who has attended recent meetings reports that these men find the FBI unimaginative and poorly trained for sophisticated law enforcement in today's volatile cities.

The bureau has fallen behind the best city police in techniques, and far behind in their general recognition of the social origins of crime, the social responsibilities of policemen.

Tomorrow: The FBI and Hoover's politics