

J. Edgar Hoover

Was a Superadministrator, But What Is His Legacy?

The FBI Must Be Depoliticized, Says a Critic

BY VICTOR S. NAVASKY

During his lifetime J. Edgar Hoover had an unfortunate habit of libeling the dead. *Vide*, his post-mortems on Harry Dexter White, Martin Luther King, and Robert F. Kennedy. Now that Mr. Hoover is himself dead, no useful purpose is served by following his precedent. But, because he incarnated the agency that he headed and served for forty-eight years, and because the role of that agency is now up for redefinition (What *should* be the proper relationship between a secret police organization and an open society? What sort of man *ought* the new director to be?), it would be irresponsible to banish to some Butte, Montana, of the national consciousness those very aspects of Mr. Hoover's career that, although they do his reputation least credit, may help illuminate the contradictions inherent in the agency he has left us.

By all means let us celebrate, in traditional fashion, the virtues of the deceased: His round-the-clock dedication to his job; his patriotism; his invention of the central fingerprint repository,
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His Achievement Was "Unparalleled," Says an Admirer

BY JAMES L. BUCKLEY

The distinguished American philosopher and writer John Courtney Murray, discussing a community's need to defend itself, once wrote:

The necessary defense against barbarism is, therefore, an apparatus of state that embodies both reason and force in a measure that is at least decently conformable with what man has learned, by rational reflection and historical experience, to be necessary and useful to sustain his striving towards the life of civility.

Father Murray's words could well have been written about J. Edgar Hoover's concept of law and justice. He knew that a free society depends on law and a respect for law, and that these in turn depend on the maintaining of the balance between force and reason. He personified this understanding in every aspect of his long career in law enforcement.

Yet, this man who truly created an "apparatus of state that embodies both reason and force" was the victim of some of the most intemperate attacks to be made on a public figure in recent American history. It would indeed be

James L. Buckley is the Conservative-Republican senator from New York.

It might clean the air
and be money saving, too,
to let every citizen
read, review, and comment
on his own FBI file.

miraculous if a man who was in the public eye for more than fifty years had no critics, but Hoover's latter-day critics seemed obsessed with the need to denigrate the man and his achievements. On the occasion of his death, then, a look at the criticisms leveled at him, particularly in recent years, might well tell us something not only about J. Edgar Hoover but about the nature of contemporary public debate and, therefore, of "the life of civility" in our nation at the present time.

Fortunately for the United States of America, but unfortunately for his critics, J. Edgar Hoover's long stewardship of the FBI was of an excellence not often found in public life.

The story of his appointment as acting director of the FBI in 1924 has become an American legend, for it serves to remind us of not only what kind of man Hoover was but what kind of an organization he envisioned. When asked for the conditions under which he would accept the job, he replied:

The bureau must be divorced from politics. It must no longer be a catchall for political hacks. We must base every appointment on merit. We should make promotions on proved ability only, and the bureau should be responsible to no one but the Attorney General.

Perhaps Hoover's worth was summed up best by remarks made about him on September 28, 1967. The speaker quoted Ralph Waldo Emerson, "Every institution is but the lengthened shadow of a single man," and went on to praise the institution Hoover had built as one "unsurpassed in government in the excellence of its performance. . . . Of all the agencies that could have reached this level of excellence, the American people can be grateful that it was the FBI because of the dependence of our people upon its performance for both their personal security and their liberty. Of all the attributes of the excellence demonstrated by the FBI, perhaps none is more impressive than the balance that is always shown. Here, contrary to expectation, perhaps to many evaluations of human nature, there is no quest for empire."

The critics of Hoover might find such praise all the more instructive, considering its source: Ramsey Clark.

The unique esteem in which Hoover was held by the overwhelming majority of the American public was evi-

denced in the fact that his body was brought to the Capitol Rotunda to lie in state, an honor, according to *Newsweek*, "ordinarily reserved for Presidents, the giants of Congress, and war heroes."

However, despite Hoover's unparalleled record of achievement, Senator

George McGovern, according to Stewart Alsop, called Hoover "a menace to personal citizens" and "a chief obstacle to proper law enforcement." Dr. Benjamin Spock called Hoover's death "a great relief," and Gus Hall, general secretary of the Communist party, U.S.A., said Hoover was "a servant of



racism, reaction, and repression" and "a political pervert."

Why did J. Edgar Hoover bring forth such rage from those who disagreed with the verdict of a Gallup Poll taken last year, showing that Mr. Hoover's performance was judged "excellent" or "good" by 80 per cent of those who held an opinion about him?

There were those who simply did not like his personality. On the one end—indeed the very edge—of the ideological spectrum, the United Klans of America, in the magazine *The Fiery Cross*, said of those who allegedly shared Hoover's personality traits, "All of these people . . . are dregs of humanity and helpless tools of Satan."

This diabolic explanation was not, of course, adopted by the critics of the Left. They instead fell back on a new form of secularist demonology to explain what they felt were the indelible blots on Hoover's personality. He was, we were told, an "authoritarian personality." Leaving aside the intriguing question of whether or not the director of the FBI should possess the personality characteristics of some liberated spirit (Abbie Hoffman, perhaps?), the use of "authoritarian," with its sinister overtones of "fascist," seemed to evidence a deep-rooted need to destroy Hoover's public reputation on the part of those who could find no fault in his public record.

Others did not like Mr. Hoover's insistence, somewhat unfashionable in a permissive age, on the fact that some persons, after all, do deliberately commit criminal acts, and that they must either be stopped from doing so or be brought swiftly to justice if they have.

There were liberal critics who found Hoover's warnings against Communist attempts at subversion in our country to be anathema, as it is a dogmatic article of liberal faith, without adherence to which no public figure can gain salvation, that no such threat exists.

The anti-Hoover criticism did attain, in some cases, a kind of sophistication. There was the "before-and-after" ploy, for example, which gave the critic a chance to appear to be fair-minded ("Hoover was all right when he was chasing gangsters back in the Thirties and Nazis in the Forties") while at the same time giving him an opportunity to savage Hoover ("But in recent years, alas, he has become a threat to civil liberties, a dictator, etc., etc."). Pressed

for details to support their claim that "Hoover-before" was in some important sense different from "Hoover-after," the critics would mumble something about the need for early retirement on the part of public officials—excluding, of course, Justice Douglas.

Still others claimed—and continue to claim—that Hoover created an anti-civil liberties organization that, in the words of the *New York Post*, "increasingly allied . . . with reactionary and often oppressive political operations." Thus, when a prominent Democratic congressman¹ said he would prove on the floor of Congress that the FBI tapped the phones and bugged the offices of congressmen, the anti-Hooverites shivered in anticipatory delight. Of course, when the moment of truth came, no proof was offered by the congressman and for very good reason—he had no proof to support his charges.

In October of 1971, a group calling itself the Committee for Public Justice convened a conference on the FBI at Princeton University. Invited to attend, Hoover wrote to one of the conference chairmen, "I recalled with some amusement the story of the frontier judge who said he would first give the defendant a fair trial and then hang him." Hoover's estimate of the objectivity of the conference was, of course, correct. For two days the forty-odd lawyers, scholars, and journalists who formed the group set about confirming the hypothesis that had brought them together in the first place, namely, their concern that the nation had entered "a period of political repression." About the only discordant voice to be heard at the conference was that of Frank G. Carrington, executive director of the Americans for Effective Law Enforcement, whom *The New York Times* was quick to identify as "one of the patently pro-FBI participants"—in contrast, no doubt, to the scholars and gentlemen who dominated the proceedings with their unbiased evidence of FBI intimidations.

Perhaps anti-Hoover criticism was best symbolized by the columnist² who sent one of his assistants to rummage through Mr. Hoover's garbage in the hope of finding something politically as well as physically odorous. But even Hoover's garbage proved not to be useful to his critics. Hoover, in short, was,
¹Hale Boggs
²Jack Anderson

by even the most rigorous standards, an exemplary public servant whose career was unblemished, a fact attested to by eight Presidents of diverse ideological and philosophical views.

Yet, on the very day that the body of J. Edgar Hoover lay in state in the Capitol Rotunda, a columnist³ writing in a New York City newspaper wrote:

And so J. Edgar Hoover is gone at last. . . . And if you believe in human freedom, you must say that we are better off in America with Hoover gone.

There was no single worse subversive in this country in the past thirty years than J. Edgar Hoover. This man subverted our faith in ourselves, our belief in an open society, our hopes that men and women could live in a country free of secret police, of hidden surveillance, or persecution for political ideas. We now live in a country where few people feel free to talk openly on a telephone, because Hoover's secret police might be listening. We live in a country where every political move we make must be considered in light of what the FBI might think.

There is, I admit, a very strong temptation to dismiss such a statement as paranoid nonsense, pure and simple. But the fact is that the statement is representative of the need on the part of many of Hoover's critics to perpetuate their fantasies about him, even after his death, at the expense of truth and, in the case cited above, in a manner calculated to disgust all but the most hardened anti-Hoover fanatics.

I am convinced that the criticism made of J. Edgar Hoover during recent years tells us more about the intellectual and moral values of the critics and of the current level of public debate in America than it does about Mr. Hoover. Those values, in turn, spring in many cases from certain fashionable intellectual and moral dogmas held by those to whom Hoover's insistence that the FBI operate in line with what *The New York Times* called "his Victorian image" was an abomination.

Mr. Hoover, in short, was not what the British call "trendy." He was not, as they say (or used to say, at any rate) "with it." In an age in which the new journalist has exiled objectivity from the news columns in favor of "committed" (i.e., openly partisan) reporting, there are those who cannot understand, let alone rationally judge, a man whose idea of public service was rooted
³Pete Hamill

in precisely those concepts of objectivity and nonpartisanship that brought the highest praise from such a wide variety of sources.

When the last criticism of Hoover disappears into the annals of public invective, there to be studied at some future date by those who would know the temper of our times, Hoover's commitment to nonpartisanship, professional integrity, and patriotic dedication will still be inspiring the Federal Bureau of Investigation as it did during his lifetime.

His personality, his "Victorian" image, his alleged sins of omission and commission—all of these will be forgotten. What will remain and what will

continue to shape the FBI for years to come is his vision of public service as one of the highest of vocations and, like all vocations, one infused with meaning and purpose only so far as its principles are not confused with those of other callings. Partisanship is needed in public affairs but has no place in public service. The recognition of this elementary—but seemingly forgotten—fact was the foundation upon which J. Edgar Hoover built one of the world's greatest law enforcement agencies.

At a time when many Americans are beset by doubt, by a loss of faith in ourselves and in our basic institutions, J. Edgar Hoover's legacy can well serve as a guide to us all. □

crime; and at a time when the bureau wasn't doing anything about wholesale violations of civil rights, he dispatched so many undercover men to infiltrate the Communist party that, according to one agent's estimate, more than half the dues-paying members of CPUSA were FBI informants.

Trivia collector, long-distance eavesdropper, obsessive cold warrior even before there was a Cold War, item planter, document leaker, bureaucratic blackmailer, Mr. Hoover created the agency in his own image and made it clear that "Any attack upon an FBI employee who is conscientiously carrying out his official duties will be considered an attack on me personally." Since to attack Mr. Hoover personally meant to attack, in the words of my favorite citation, a "fearless fighter and implacable foe of the godless tyranny of cancerous Communism," criticisms of Mr. Hoover were interpreted and treated by Mr. Hoover's FBI as attempts to undermine the never-ending battle against the Communist menace.

How does one measure the impact, not to mention the ripple effect, of such a record? I have never met a civil rights leader who wasn't convinced that the FBI was tapping his telephone; yet common sense tells us that the FBI lacks the man power to tap them all. How much has Hoover's FBI contributed to this institutionalization of paranoia? Some students of the bureau trace our involvement in Vietnam, our invasion of Cuba, our nonrecognition of Communist China in part to the virulent anti-Communism so effectively promoted by the late director. Pat Waters and Reese Cleghorn, in *Climbing Jacob's Ladder*, make a compelling case for the proposition that the FBI's apparent hostility to the civil rights workers of the early and mid-Sixties may have been an important factor in fragmenting the movement and souring the most idealistic of its members, especially the blacks, on the possibilities of working within the system. Jerry Skolnick's report for the Violence Commission concluded that Hoover helped spread the view among police ranks that mass protests are due primarily to a conspiracy promulgated by agitators, often Communists, "who misdirect otherwise contented people," and that this attitude contributed in the late Sixties to the politicization of the police and to police violence.

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the FBI crime laboratory, the FBI academy at Quantico, the national fraudulent check file, the national automobile altered numbers file, and the Ten Most Wanted Men list; his professionalization of a previously demoralized and corrupt organization; his personal incorruptibility and scandal-free record as spy catcher, kidnap foiler, gangbuster, Klan infiltrator, and so on and so forth. And perhaps most impressive of all, the control he exercised over his agents and the overall restraint with which he exercised his awesome power. When I asked one of the Kennedy people why they hadn't given serious thought in the early Sixties to replacing him, I was told, "The real problem in getting rid of Mr. Hoover was finding a replacement. If you took someone he approved of, what had you gained? If you took someone he disapproved of, there would be chaos. Whatever you may think of Mr. Hoover,

he has the allegiance of the agents and absolute control of the bureau. Without that sort of control, it is potentially a highly dangerous organization."

But let us not forget that this super-administrator, this custodian of the nation's security, this librarian of our indiscretions, this presidential confidant, was the same man who called Dr. King a "notorious" liar, Father Berrigan a kidnaper, former Attorney General Ramsey Clark a jellyfish. He blackmailed Robert Kennedy into authorizing the tapping of Dr. King's telephone (by threatening to release a file on Dr. King's private life that the Kennedy administration thought might jeopardize passage of its civil rights bill); in the late Fifties and Sixties he approved—without giving adequate notice to his nominal superior, the Attorney General—illegal electronic surveillance; for years he overemphasized the threat of domestic subversion and underestimated the strength of syndicated

One New York columnist wrote that there was "no single worse subversive in America than J. Edgar Hoover."

Obviously, it is inflating even the late J. Edgar Hoover's importance to credit him with the Bay of Pigs fiasco, the war in Vietnam, the police riots in our ghettos, the demise of the civil rights movement, and the rise of black nationalism, but it is appropriate that such speculation be placed in Mr. Hoover's file and be subjected to fur-

ther analysis before that file is closed.

Now that President Nixon has decided to appoint a temporary director, leaving the final choice to whoever is elected President in November, the more immediate question is, What can be done to preserve the bureau's independence from politics and, at the same time, to make it more responsive to

policy and prevent a recurrence of Mr. Hoover's excesses? For starters, Congress, which has been heard from only intermittently—Congressman Hale Boggs complained about FBI wiretapping when he thought the FBI was tapping *his* wires, Congressman Cornelius Gallagher complained about FBI file leaking when he thought the FBI had leaked *his* file—should reassert its right to audit the bureau. In 1962 Representative John Rooney, chairman of the subcommittee that theoretically oversees the FBI budget, announced at the annual appropriations hearing: "The confidence which the committee has in the Federal Bureau of Investigation under the highly capable and efficient leadership of Director J. Edgar Hoover is best illustrated by the fact that this is the tenth consecutive year that not one penny of the funds he has requested of the committee has been denied. . . ." Now that Mr. Hoover is no longer around, perhaps they will take a more skeptical look at the whole FBI operation. Among the questions they ought to consider (I assume *another* committee will consider whether a time limit ought to be placed on the new director's service) are:

- 1) Whether the same agency ought to be engaged in fact gathering in the criminal area and counterintelligence work in the national security area;
- 2) Whether *any* agency ought to be engaged in the surveillance of domestic political organizations and, if so, under what conditions and with what restraints;
- 3) Whether it's fitting and proper—not to mention efficient—to include among circa 9,000 agents fewer than 100 blacks and no women;
- 4) Whether it might not be air clearing and money saving to let every citizen read, review, and comment on his own file.

At present, Congressman Rooney's appropriations committee uses specially detached FBI agents to investigate the FBI, and it is based on their findings that the bureau's budget has been approved without question for the past twenty years, an arrangement that some traditionalists might find violates the spirit of the separation of powers doctrine. Perhaps the committee would be better advised this time around to employ a team of Nader's Raiders. If they don't do this, somebody else should. □

