

The Threat to Liberty—II

Less than a generation ago, the tapped wire, the bugged room, the secret informer evoked contempt and ridicule in the minds of most Americans. These were the marks of police states in a jaded Old World. It could not happen here.

It is happening here now.

The argument over the wire tap is no longer whether but how much, by whom and how it can be made admissible evidence in court.

Leslie Fiedler, a literary critic and teacher, was recently convicted of allowing the use of marijuana in his home on the basis of information supplied by a teen-age girl, a "friend of the family." She had acted as a police spy and recorded private conversations with the aid of a microphone concealed in her dress while she was a guest in Mr. Fiedler's house.

In 1920, Attorney General A. Mitchell Palmer, following some anarchist bombs and bomb threats, wrote in his annual report: ". . . There must be established a systematic and thorough supervision over the unlawful activities of certain persons and organizations . . . whose sole purposes were to commit acts of terrorism or to advocate, by word of mouth and by the circulation of literature" the subversion of the government.

Mr. Palmer boasted of a file containing 200,000 biographies and records of speeches of persons "with radical connections." Such dossiers seem puny compared to the store of computerized intelligence data banks maintained today by a host of agencies, from the Justice Department to the military.

No serious student of history now believes that the Palmer forays against civil liberties contributed to the nation's survival. Yet, his obsession with surveillance and his scrambling of action and advocacy are once again being elevated to public policy, with infinitely greater efficiency.

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Under the guise of essential attacks on crime, police and investigatory powers are being sharpened for potential use against political offenders. Preventive detention is being advocated, when too many suspects are already imprisoned too long before being brought to trial. No-knock entry into private premises and the rifling of confidential records are being justified as weapons against narcotics.

Political snooping has seriously jeopardized the confidentiality of income tax returns and diminished the privilege of reporters' files. Personal mail is increasingly subject to scrutiny.

As if to underscore the hegemony of the police mentality, even at the Cabinet level, the Attorney General has overruled the Secretary of State in denying a European Marxist scholar's request for admission to attend a scholarly meeting here.

There are those who say that the growing reliance on surveillance, with lines blurred between the legitimate attack on crime and the illegitimate repression of dissent, is the price of America's role as a great power, but that is to misread the country's destiny. The nation's greatness springs from its dream of greater freedoms for all, not from a nightmare of restricted liberties for some. Today, no less than in earlier times of trouble, the Bill of Rights offers the best, perhaps the last, hope to carry the torch against the forces of dark suspicion and fear.