

The Threat to Liberty—III

The erosion of the nation's civil liberties cannot be charged against any one Administration or party. The virus of electronic surveillance and the incursions into personal rights, through the abuse both of laws and of technology, are the toll of wars, hot and cold, and of declining confidence between government and governed.

Terrifyingly new, however, is the Administration's open exploitation of fear and discord. Verbal excesses and insinuations, apparently condoned by the President himself, have rendered suspect the Government's reaction to dissent and even to high-level disagreement on the part of the loyal opposition. Vice President Agnew not only rails against "the whole damn zoo" of "deserters, malcontents, radicals, incendiaries, the civil and uncivil disobedients," but also hints darkly that Senator Muskie, in challenging the Administration's arms policies, "is playing Russian roulette with U.S. security."

Other Administrations have been vexed by the intemperate language of their detractors; but there is a disturbing appeal to the nation's lowest instincts in the present Administration's descent to gutter fighting. It undermines the dignity of government so vital to that atmosphere of calm and reason in which civil liberties can flourish.

By attacking the alleged influence of outside agitators—in the inciting of riots as well as in the Senate's vote against Judge Carswell—the Administration revives earlier anxieties over Mr. Agnew's dark hint that "rotten apples" of dissent should be "separated" from society.

When dissenters are thus treated, are they being prepared for inferior citizenship? The prospect is as troubling when the dissidents are young Republicans, labeled "juvenile delinquents" for their audacity in breaking ranks, as when they are the "liberal media" reporting the news or taking a stand for freedom of speech and the right to privacy.

By his extraordinary suggestion during the ugly fight over the Carswell nomination that the South be credited with a separate "legal philosophy," President Nixon directly exacerbated regional as well as racial disunity.

Attorney General Mitchell, in holding that the Justice Department is ruled by pragmatism rather than any philosophy, stimulates the raw appetites of those who stand ready to ride roughshod over rights which are protected by philosophic principles rather than pragmatic power.

It is chilling to learn from a recent poll that a majority of Americans have responded to the politics of fear by declaring themselves ready to restrict the freedoms guaranteed by the Bill of Rights.

Fear saps a nation's strength. It sets one neighbor against the other. It is an illusion for any government to believe that it can turn fear to its advantage. Those who try to divide in order to govern are running the risk of making a divided nation ungovernable.

Abraham Lincoln, in an earlier crisis, prayed for "a new birth of freedom." Today, the answer is not in electronic surveillance or a consensus of silence; rather it is in reliance on law and justice, on the Constitution and on an appeal to the decency of free men to let freedom triumph over fear, and civil liberties over political strategies.