

A SITTING UNITED STATES senator has been indicted on federal criminal charges for the first time in 50 years. The charges brought by a Jacksonville grand jury against Sen. Edward J. Gurney (R-Fla.) are hardly trivial; they include conspiracy, bribery, receiving unlawful compensation, and four counts of making false declarations to a grand jury. Six other men—the senator's former administrative assistant, his executive assistant in Florida, two former officers of the Florida Republican party and two Florida officials of the Department of Housing and Urban Development—have also been indicted, and 42 others named as unindicted co-conspirators, as the result of a year-long investigation into an alleged political fund-raising and influence-peddling scheme.

The charges are, of course, only allegations which have not been proved in court. Indeed, conspiracy and bribery are hard charges to prove, and rightly so, because they turn on evaluations of motives and intent. But that makes this indictment all the more significant. In normal times, that is to say pre-Watergate, one would hardly expect any Justice Department to feel compelled, even with great good cause, to press such charges against a senator of the same party—especially when the senator has been a staunch supporter of a besieged President and when an indictment could jeopardize the party's chances to retain that Senate seat. If the old mores still prevailed, an Attorney General might be inclined to find a way to shelve the matter or at least delay it to a less inconvenient time. But thanks to Watergate, prompt and impartial prosecutions may have become sound politics, in the best sense of the word, as well as proper law enforcement.

Besides what the indictment may say about attitudes at the Justice Department, it is useful as a guide to the boundaries of permissible political behavior. The milk deal and other scandals raise the question of where legitimate political dealings end and corruption starts. The Florida indictment suggests one kind of operation which lies beyond the pale. The alleged conspiracy, according to the indictment, involved soliciting and obtaining campaign funds from land developers and contractors in return for using political influence to get favored treatment for the donors from HUD. The proximity of contributions and HUD contracts was not coincidental, the indictment charges; the connections were allegedly explicit and direct. Sen. Gurney professes innocence of any involvement in any such scheme or cover-up. But it is not necessary to prove his knowledge or implication in such goings-on in order to establish that his name and the power of his office were being corruptly used. One's aides are no less culpable because their boss is clear.

The central theme in the indictment is the defrauding of the government. That really means cheating the people of their right to have public business conducted honestly and even-handedly. Too many Americans believe that such things happen all the time, that influence-peddling and private deals in public offices are not the exception but the norm. And too many officeholders have been willing to wink at occasional wrong-doing by associates and friends. The only way to combat such cynicism is to attack corruption wherever it seems to exist, and thus show both public officials and the public that favors can no longer be bought and sold with impunity.