

William Rusher

## The Real Aim Of the CIA Probe

Washington

APPARENTLY the liberal reporters who kicked off the CIA controversy late last year are now ready to settle for the prosecution and jailing of one or two CIA agents — the higher-ranking the better — for violations of law uncovered in the course of their hot-eyed investigations. I hope profoundly that no such thing happens.



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The whole flap over the alleged misdeeds of the CIA has been a phony from the start — a painfully obvious attempt on the part of the Washington press corps to maintain the momentum generated by Watergate and roll over yet another pet liberal target before the juggernaut slowed down. From Seymour Hersch's original story in the New York Times on December 22, 1974, to Senator Church's

most recent pirouettes on the Sunday TV talk shows, the entire affair has had the unmistakable flavor of one of those pseudo-events staged to amaze and edify the groundlings in the tedious gaps between real events.

The test of the phoniness of the whole thing is the disproportion between the efforts exerted between the cooperating media and politicians and the amount of authentic concern generated in the public at large. Heaven knows the effort has been monumental: acres of newsprint, oceans of ink, hundreds of hours of prime time, a revelation a day for 300 days, a presidential commission and three separate congressional investigations.

Yet just how concerned are the American people over the alleged misconduct of the CIA? Have you heard a single really tense argument on the subject? Watergate caused plenty of them — and Vietnam too; and so did the campus riots and various aspects of the civil rights controversy.

But if anybody outside the original clique has ever raised his voice in anger, one way or the other, on the subject of the CIA, it has eluded me. Sy Hersch isn't even going to get his Pulitzer prize, or Frank Church his party's vice presidential nomination. It's enough to make a press agent weep.

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THE REASON for the public's indifference is not far to seek. Most Americans know very well that this is a dirty world, and are entirely in accord with the idea that it is necessary to have some tough types on our side. Nobody who has ever watched "Mission: Impossible," or read a James Bond novel or saw a Sean Connery movie, can take very seriously the idea that the real-life CIA ought to be forced to walk the plank for supporting America's friends in Chile or peeking at Bella Abzug's mysterious letters to the Soviet Union.

And if Senator Church, poking around in the files, comes unexpectedly upon evidence that the Kennedy brothers spent a lot of time trying to kill Castro, I daresay that the dominant emotion of a good many Americans on the subject is a keen regret that they didn't succeed.

To be sure, it is the unwritten law in such situations that the old principle of "respondent superior" doesn't apply. We all remember that dry voice on the self-destructing tape in "Mission: Impossible" warning Jim that, if his actions unluckily came to light, "the Secretary will of course deny all knowledge of them."

Fair enough; but it certainly didn't follow that if Jim's illegal acts were exposed by some nose reporter, it would be the bounden duty of our own Department of Justice to prosecute Jim and send him up the river.

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THERE IS such a thing as "prosecutorial discretion": the right of the prosecutor to decide, in the light of all the circumstances of the case, whether or not to seek an indictment. Just at the moment that discretion is being exercised generously in favor of thousands of thousands of draft-dodgers and deserters, many of whom have recently compounded their original crime by failing to keep the promises (of alternative service) they made to avoid prosecution in the first place.

How much more deserving are the men in the CIA who may have violated lesser laws in the interests of this country, with the full knowledge and at the private behest of the presidents they served! To prosecute such men now, for no better reason than to reassure Seymour Hersch that he hasn't been wasting our time and his own, would be a deadlier blow at the CIA than any he and his cronies have managed to land — and a far greater crime than any yet laid at the door of the CIA.