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TERRORISM IN AMERICA: THE DEVELOPING INTERNAL SECURITY CRISIS

INTRODUCTION

Recent upsurges in terroristic activities throughout the world--in Europe, in Rhodesia, and in Southwest Africa (Namibia) --have given rise to the fear that the United States itself may soon experience a wave of terrorist violence. This fear is heightened by strong indications that European and African terrorists have received material support from the Soviet Union, Cuba, and from East European and Middle Eastern states. If terrorism were merely a spontaneous response to social grievances and political oppression, the United States might not have cause to feel alarm. But if terrorism is enabled to prosper because of the organized and clandestine efforts of hostile states, the problem becomes much more serious. Furthermore, such international support for terrorism would lead to many complications in other areas: the viability of U.S. internal security programs and the wisdom of the current restructuring of the FBI and CIA and of local police intelligence units; the relationships of the United States with the Soviet Union and Cuba; and the strategic and economic implications of U.S. relations with certain Middle Eastern countries. Also, of course, the question of the response to terrorism leads to a wide range of problems connected to civil liberties and human rights and to the role of punitive and preventive methods of dealing with terrorism and with crime in general.

That terrorist attacks in the United States in the near future are not improbable is suggested by the Director of the FBI, William H. Webster, in his recent remark that

Experience tells us that when we have epidemics like this around the world, it is very likely to come to the United States. (New York Times, March 30, 1978, p. 20)

and in the words of Dr. Robert Kupperman, chief scientist of the U.S. Arms Control and Disarmament Agency and a widely recognized authority on terrorism:

I'm not a soothsayer, but I'd have to say it's an odds-on bet that we're going to have some very serious problems in the next few years. We haven't seen much big-time terrorism in the U.S. yet, but you might say the clock is running. (U.S. News and World Report, March 6, 1978, p. 66)

According to a confidential CIA memorandum recently circulated among senior members of the Carter Administration, the United States will undergo a series of major terrorist assaults within the next eighteen months. The CIA believes that West European and Palestinian terrorists have established contacts with American sympathizers and that attacks on fuel and power facilities and commercial aircraft are likely.

RECENT HISTORY OF TERRORIST ACTIVITIES IN THE UNITED STATES

In the 1960's and early 1970's, terrorism became a well-known phenomenon in the United States, though never as disruptive as it is now in Europe. Such right-wing extremists as the Ku Klux Klan, the National Socialists, and the Minutemen and such left-wing extremists as the Weathermen, the Black Panthers, and the Symbionese Liberation Army habitually preached and practiced violence as a means of achieving their political goals. In recent years these terrorist and extremist groups have not been in the headline news, but in some cases their activities have persisted and in others, new groups -- sometimes even more secret and more extreme -- have been founded.

The persistence of terrorist violence into the mid and late 1970's is indicated by the FBI's statistics on crimes commonly associated with terrorism and political violence. Since 1970, for example, over 100 law enforcement officers have been killed by felonious assault each year, as the following table shows:

Law Enforcement Officers Killed
in the U.S. and Puerto Rico

1970 - 100
1971 - 129
1972 - 116
1973 - 134
1974 - 132
1975 - 129
1976 - 110

(Source: Federal Bureau of Investigation)

Furthermore, the casualties from bombings have also escalated in the mid-1970's. In 1974, preliminary reports to the FBI showed 2,044 bombing incidents with a total of 24 persons dead, 207 injured, and \$9,887,000 in property damages. In 1976, there were 2,053 bombing incidents reported, with 69 persons dead, 326 injured, and \$26,910,000 in property damages (one incident alone cost \$14 million). In 1976, only 1,564 bombing incidents were reported, but 45 persons were killed, 206 injured and over \$10 million in property damages were reported.

In recent remarks at Quantico, Virginia, Director Webster gave more precise figures on specifically terrorist bombings in the United States:

Since 1973, a year in which we had only 24 bombings that could be attributed to terrorist attacks, we have observed a significant increase. In 1974, we had 45 such bombings and 129 in 1975. We have seen a slight improvement since that time, with 116 in 1976 and 111 in 1977. There has also been an increase in aircraft hijackings - from two incidents in 1976 to five in 1977. This was the highest number of hijackings experienced by any one nation last year.

According to an earlier report of the New York Times (July 2, 1977, p. 6), however, there were 600 terrorist bombings causing \$3.8 million in damages in the first four months of 1977. It will be seen in any case that, though other bombings have fallen off in number in recent years, terrorist bombings escalated sharply in 1975 and have fallen off only slightly, if at all, since then.

That individuals, businesses, and government agencies associated with the United States continue to draw the violence of terrorists is shown by figures collected by the Central Intelligence Agency. Out of 913 total terrorist attacks on U.S. citizens,

corporations, or government institutions between 1968 and 1975, 644 took place between 1972 and 1975 and only 269 in the years 1968 to 1971.

In 1976-77, the number and costs of kidnappings also continued to increase. In 1976, 165 cases of kidnapping occurred, involving 207 hostages, ten of whom were killed. \$2.8 million in ransom was demanded, and only \$800,000 of this recovered. In 1977, there were 270 cases of kidnapping with 291 hostages taken, ten of whom were killed. \$4 million in ransom was demanded. While it cannot be claimed that all of these kidnappings, bombings, and police killings were the work of politically motivated violence or terrorism, these are crimes in which terrorists specialize and which indicate the growing opportunities in America for violent political tactics.

The disappearance from the headlines of news about extremism does not therefore mean that the phenomenon is non-existent. It simply means that political extremists have not engaged in major publicity efforts, that some of them have given up their efforts at bringing about political change through "political theater" and have "graduated" to more desperate measures of subversion, intimidation, and revolution.

CURRENTLY EXISTING TERRORIST GROUPS IN THE UNITED STATES

The farther reaches of the New Left and the "counter-culture" contain many groups, organizations, and communities that range from the merely exotic and harmless to ones that are revolutionary, criminal, and violent. Certainly not all of these groups are terrorists, not even the Charles Manson "Family," but they are often the breeding ground for terrorists. Thus, the SDS bred the Weathermen, the more radical branches of the civil rights movement bred the Black Panthers, and the Vietnam Veterans Against the War had members who later joined the SLA. Certain major groups on the Far Left exist today which practice terrorism and which could become American versions of the Red Brigades or the Baader-Meinhof gang tomorrow.

(1) Armed Forces for National Liberation (Fuerza Armadas de Liberacion Nacional or FALN)

FALN is an active terrorist group that supports the national independence of Puerto Rico from the United States. FALN first became active in 1974, and, to date, has been responsible for five deaths in the New York City area due to its bombings, and as of August 4, 1977, had been responsible for 61 bombings and 75 injuries. On October 26, 1974, five major businesses in New York were bombed, with property damage of over \$1 million. Both these

attacks and three others in the spring and an attack on the police headquarters and City Hall of Newark, New Jersey, on September 28, 1974, were claimed by FALN. This group has also claimed credit for the ambushing of a New York City policeman on December 11, 1974, and for the killing of four persons and wounding of 50 others in the bombing of Fraunces Tavern in New York City on January 24, 1975. On August 3, 1977, two bombings in mid-town Manhattan office buildings killed one man and injured seven others, and other bomb threats caused the evacuation of over 100,000 persons from their homes. On May 22, 1978, FALN took credit for three bombings at New York's three international airports, another bombing at the Department of Justice in Washington, and a fourth bomb at Newark International Airport in Newark, New Jersey. It also claimed credit for a bombing at Chicago's O'Hare Airport at the same time. Though no bomb exploded at O'Hare, officials reported receiving a warning about it at about the same time the bombs in the other cities exploded. No one was injured in these bombings. FALN is a Marxist-Leninist organization with reportedly about 30 members. According to Senator Daniel P. Moynihan (D-N.Y.) FALN has received training in Cuba and the support of the Cuban government. Senator Jacob Javits (R-N.Y.) has concurred in this statement (Congressional Record, August 4, 1977, pp. S13766-7).

(2) New World Liberation Front (NWLF)

Active since 1974, the NWLF has been associated with the remnants of the SLA. The NWLF has concentrated its bombing activities on energy utilities, businesses, and establishments connected to the "ruling class" on the West Coast. Between August 1974 and December 1977, the NWLF claimed credit for over 50 bombings in California and Oregon. The bombing targets of the NWLF have included several West Coast business facilities: Dean Witter and Company, General Motors (4 times), Adolph Coors Company (5 times), ITT (5 times) and Pacific Gas and Electric (PGE) (over 30 times). On September 9, 1977, the NWLF bombed the War Memorial Opera House in San Francisco and later in the month tried to bomb the Pacific Union Club in the same city. Other targets have been private clubs and hotels that allegedly "cater to the rich." The NWLF on August 29, 1977, exploded three bombs at a PGE substation in Sausalito, California, and caused a blackout of the city. In July and August, the NWLF bombed several facilities of the Adolph Coors Company in California, Colorado, and Nevada. In October, the NWLF expanded its anti-business terrorism to environmental terrorism. The "Environmental Assault Team" of the NWLF on October 10, 1977, exploded a pipe bomb outside the visitor center of the Trojan nuclear plant at Ranier, Oregon. The NWLF-EAT later claimed credit for this action and affirmed that it was carried out in commemoration of the tenth anniversary of the death of Che Guevara. On October 12, 1977, three pipe bombs exploded at a PGE substation at Cupertino, California; this action, too, was claimed by the NWLF's public spokesman, Jacques Rogier.

(3) Weather Underground Organization (WUO or "Weathermen")

The "Weathermen" (now known as the Weather Underground) perhaps the best known American terrorist group, were formed in 1969 at the break-up of the Students for a Democratic Society (SDS). It is still in existence and is still active in terrorist activities. The WUO claimed credit for several bombings in 1970 and 1971, and in May, 1972 for the bombing of the Pentagon. Apparently quiescent in 1973, the WUO in March of 1974 resumed its operations: bombing of the offices of the Department of Health, Education, and Welfare in San Francisco (March) and of the State Department, Washington, D.C., and the Federal Building in Oakland, California, both on January 29, 1975. In its publication, Prairie Fire (July, 1974), WUO claimed credit for over 30 bombings since 1970 and in Osawatomie (March, 1975) for 25 bombings. Although some members of the WUO such as Jane Alpert and Mark Rudd have turned themselves in to the police, others such as Bernardine Dohrn and Cathlyn Wilkerson remain at large. Present estimates of WUO membership range from 200 to 500. The political statement of WUO in Prairie Fire praises the SLA and the Black Liberation Army (see below) as "leading forces in the development of the armed struggle and political consciousness." Weathermen ideology has emphasized the solidarity of the organization with revolutionary goals of the Third World and with "colonized" ethnic and racial minorities within the United States. Cuba has given aid and support to the Weathermen; specifically, to Bernardine Dohrn, Mark Rudd, Ted Gold, and Diane Oughton (the last two killed in an explosion at their own bomb factory in New York on March 6, 1970) as well as others. Cuba has also provided transportation of members of WUO to Czechoslovakia, where they received false passports for the purpose of re-entering the United States.

(4) Black Panther Party (BPP)

The Black Panthers were founded in 1966 by Huey P. Newton and Bobby Seale in Oakland, California. Originally, it expressed dissatisfaction with the slow pace of the civil rights movement and demanded revolutionary social and political change and "black power." It also adopted a violent, racist rhetorical style and paramilitary organization and tactics. The BPP was involved in gunfights with policemen in the late 1960's, and in May, 1967, tried to intimidate the California state legislature by attending its session armed with shotguns and rifles. Between 1967 and 1970, 11 policemen were killed by persons identifying themselves as Black Panthers, and 81 were wounded. In 1968-69, a total of 10 Black Panthers were killed by the police -- not 28, as had been claimed by the BPP. The most violent part of the BPP has been the so-called "Cleaver Faction," led by Eldridge and Kathleen Cleaver. Cleaver left the United States for extended visits to Cuba, North Korea, Algeria, and France in 1968 as a fugitive from justice when his parole was coming under review in California.

While in Algeria, where the government allowed him to utilize the same facilities that it had put at the disposal of Palestinian and African terrorists, he and his associate, Donald Cox, made approaches to these groups. Cox, in a 1971 pamphlet, admitted to the killing of a policeman in San Francisco.

Although the BPP ostensibly renounced its violent ideology in the early 1970's, when Bobby Seale ran for Mayor of Oakland, there is strong evidence that at least some factions of the BPP still endorse and use terrorist methods. On October 23, 1977, a party of BPP members tried to kill Miss Raphaele Gary, a witness in the murder trial of Huey Newton. The effort failed, partly because Miss Gary did not live at the same address that the assailants attacked with guns. But members of the gang were later found dead or wounded, apparently from BPP attempts to eliminate those who participated in the attack and attempted assassination.

The BPP has described itself as a Marxist-Leninist party. Influences on its ideology (especially that of Cleaver) have been Nechayev, Lenin, Mao, Frantz Fanon, Malcolm X, and Kim-il Sung. Cuba, North Korea, and Algeria have all hosted BPP leaders when fugitives from justice in the United States.

(5) Black Liberation Army (BLA)

The BLA developed from the Cleaver faction of the BPP in 1971. It has been most noticeable for its campaign of assassinations of police officers. At least five police officers were killed by the BLA or its associated groups in New York City and Jackson, Mississippi, in 1971 and 1972. Other armed assaults by the BLA have occurred in other cities, and in early 1972 BLA members had been taken into custody in St. Louis, San Francisco, Philadelphia, and Raleigh, North Carolina. The BLA has described itself as "small guerilla units, urging armed struggle against the agents of death -- the united states government, operating throughout Babylon... We are the Babylonian equivalent to the Tupamaros of Uruguay, Frelimo of Mozambique, or the NLF of Vietnam." The BLA has supported the SLA and has been active in organizing and recruiting black convicts when its members have been imprisoned. In 1973, after the killing of BLA leader Twymon Meyers in New York on November 14, the New York Police Commissioner stated that this casualty "broke the back" of the BLA and noted that five BLA leaders had been killed and 18 others were in custody. However, jailbreak attempts on behalf of imprisoned BLA members were made in February, 1975. In the spring of 1974, the BLA robbed banks in Berkeley, California, and New Haven, Connecticut, critically wounding a police officer in the latter city. In April, the BLA tried to free its leaders imprisoned in the Manhattan House of Detention in New York City, and on May 7, 1975, the New York City Department of Corrections uncovered a plot of the BLA to

free a female member from Rikers Island Prison that would have involved the kidnapping of six persons, five of them police officers.

(6) George Jackson Brigade (GJB)

The GJB has been particularly active in the Northwestern United States in bombings of supermarkets and the Washington State Department of Corrections office in Olympia, Washington, in the summer of 1975. In January, 1976, the GJB tried to rob the Pacific National Bank in Tukwila, Washington, and on March 10, shot and seriously wounded the guard of a GJB prisoner, who escaped. The arrest of three members of the GJB in March, 1978, is believed to have curtailed its activities. The GJB is reported to have had links with the NWLF.

(7) Foreign Terrorists in the United States

In addition to our own indigenous terrorists, there is evidence that other terrorists may be migrating to the United States. The presence of Arab terrorists, certain elements among anti-Castro Cubans, the Mexican radical group LC-23, and perhaps some European terrorists have been reported in the United States. In November, 1977, the U.S. Coast Guard began patrolling waters near international airports in New York, Boston, and Philadelphia after Lufthansa airlines received threats of rocket attacks on its planes from groups claiming to represent the Baader Meinhof Gang (Red Army Faction or RAF). In December, several Latin American countries reported that 19 members of the RAF were present in the Western Hemisphere and were planning an "international action plan."

On July 16, 1978, a Kristina Katherina Berster was arrested in Vermont soon after her illegal entry into the United States. She was identified as a German terrorist by the West German embassy in Washington and was found to be carrying an Iranian passport stolen from the Iranian consulate in Geneva when Iranian radicals occupied it in June, 1976. Another terrorist who used a passport stolen at the same time from the consulate was Marion Brigitte Folkerts; a member of the Red Army Faction (Baader-Meinhof Gang). The FBI, the Royal Canadian Mounted Police, and the U.S. Border Patrol were seeking three accomplices who may have helped her gain entry into this country and may themselves be foreign terrorists.

Aside from such direct links, some foreign terrorist groups receive financial or moral support from American citizens. According to the Justice Department, the Irish Northern Aid Committee (INAC), an American group that assists the IRA, contributed \$99,115 to the IRA in 1977-78, though this sum was less than what the Committee has contributed in previous years. The IRA also received 88 guns from supporters in the United States in 1977.

PARALLELS WITH EUROPEAN TERRORISTS

A recent article in Newsweek (May 22, 1978) contrasted American with European terrorists by pointing out that the former lack "grassroot" constituencies and that the United States has political and social processes that prevent terrorism from becoming a serious threat. The burden of the article was to minimize the threat of major terrorism in the United States. However, no terrorist group has "grass roots" support anywhere. If it did, it would not resort to terrorism, which, nearly all experts point out, is a weapon of the weak. The Palestine Liberation Organization, for example, has (for tactical reasons) increasingly modified its use of terrorism as its cause has gained respectability in the eyes of many; when it had less support, terrorism, the PLO believed, was the only effective method for promoting its cause. Whatever differences may exist between U.S. and foreign terrorists, there are several parallels which point to certain alarming similarities.

(1) Similar Objective

Both European and American terrorists stress their hatred of the established institutions of society, especially those associated with business, capitalism, the police and the military, and, most recently, nuclear facilities and other alleged threats to the environment. The Baader-Meinhof Gang was attacking nuclear power stations in 1975. Both also share a leftist orientation, though the content of their ideology is vague and the social and political goals are seldom specified.

(2) Similar Methods

American terrorists thus far have mainly indulged in bombings, as the RAF and Red Brigades and IRA did at an earlier date. When the European groups found that bombings failed to achieve their goals, they graduated to kidnapping and, later, assassinations. While American terrorism is still embryonic in its development, it could follow a similar course when it finds that American society cannot be altered through bombs, or when the public finds itself no longer interested by the news of bombings.

(3) Transference of Methods

In 1973, Spanish terrorists assassinated the Spanish Premier by exploding a bomb under a street as his car passed overhead. In July, 1974, the IRA used the same method to assassinate the British ambassador to Ireland near Dublin. The Moro kidnapping by the Red Brigades bears striking similarities to the kidnapping of H. M. Schleyer by the RAF. Thus, European terrorists have borrowed techniques from each other. American terrorists seem to have done the same thing, and there are several parallels among the groups

surveyed above. Most of them began or resumed activities in 1974 after a period of comparative quiescence. Also notable are the well-coordinated attacks in different cities, states, or regions of the country. This coordination resembles the equally well organized efforts of the European terrorists. Finally, American terrorists seem to imitate each other in their targets. Thus, groups which originally concentrate on bombing may turn to assassination; others may turn to the liberation of prisoners, bank robberies, or sabotage of particular kinds of targets.

(4) Aboveground Support

While neither European nor American terrorists have "grass-roots" support, there are for both organized efforts by non-terrorists and radicals to support them through material aid and services or through legal help. Thus, the RAF had its lawyer Klaus Croissant; the Red Brigades have theirs, Edoardo di Giovanni. The NWLF has Jacques Rogier as its public spokesman. The Weathermen have the Prairie Fire Organizing Committee. The Black Panther Party had the Revolutionary Peoples Communications Network (RPCN). American terrorists of all kinds have received much legal assistance from the National Lawyers Guild. It would be very difficult if not impossible for terrorists to operate in the absence of this kind of aboveground support.

(5) International Support

Many American terrorists have received the support of Cuba and some have received training there or from Algeria, North Korea, Czechoslovakia, Yemen, and Aden.

According to a top-secret report of the FBI of August, 1976, Cuban intelligence agents in the Cuban mission in New York and in the Cuban embassy in Canada kept in contact with members of the Weathermen after they went underground in 1970, and according to an FBI informant in the Weathermen, Larry Grathwohl, there existed a code by which Weathermen could contact Cuban intelligence agents in Canada. Cuba also provided at least some training in guerrilla warfare for some members of the Venceremos Brigade, which posed as a volunteer group of young Americans working in Cuba. In Europe and the Middle East, the same states have provided training, money, aid and comfort, and havens for many of the terrorist organizations in this part of the world.

REALITY OF TERRORIST THREAT

The foregoing data should be sufficient to indicate clearly that the United States is presently faced with a terrorist threat which derives in large measure from the existence within the nation of a network, whether it be formal or merely based on shared radical ideology and goals, of terrorist organizations and other individuals and groups which serve as a support apparatus for terrorists. There are organizations, the Weather Underground and FALN prominent among them, which advocate and practice terrorist violence, including bombing; and such groups as the National Lawyers Guild and the Prairie Fire Organizing Committee provide crucial legal and other support for the perpetrators of terrorist activities.

Faced with the rising probability of increased terrorist violence in the United States, together with the fact of significant linkages between certain U.S.-based and foreign terrorist groups and individuals, it is imperative that one inquire as to whether government, be it national, state, or local, is presently equipped to deal adequately with the problem. The answer, based on examination of the objective evidence at every hand, is both disquieting and alarming.

It is certainly to be presumed that this country has sufficient manpower, in both the military and the law enforcement communities, along with necessary weaponry of some sophistication, to cope with terrorist situations. In like manner, one assumes that our criminal justice system can mete out appropriate punishment for terrorist offenders who are apprehended and convicted. Thus, apprehension with respect to the capability of government to deal effectively with growing domestic terrorism is not fairly chargeable to concern over procedural defects one might discern in our law enforcement or criminal justice systems as we normally understand them. Rather, the problem is far more basic -- and, unfortunately, far too little recognized or understood. It is, briefly put, a problem of information, brought about largely by a systematic campaign of harassment that has virtually eliminated the nation's internal security defenses.

COLLAPSE OF INTELLIGENCE GATHERING CAPABILITY

Through the Freedom of Information Act, as well as through court proceedings, organizations like the American Civil Liberties Union, the Socialist Workers Party, and the Political Rights Defense Fund have been able to force disclosure of hitherto closely-held information regarding the use of confidential informants by law enforcement agencies, including the Federal Bureau of Investigation, thereby effectively crippling intelligence gathering by the law enforcement community to the extent that it relates to internal security work.

These actions may perhaps be more fully appreciated when one considers that the current campaign against domestic intelligence gathering for internal security purposes was initiated in 1970 as the ACLU's "Political Surveillance Project," with "dissolution of the nation's vast surveillance (i.e., intelligence) network a top priority." This project was designed to operate in three ways: "a research project, litigation and legislative action." It is significant that the research director for ACLU's anti-intelligence gathering efforts is Frank J. Donner, three times identified in sworn testimony before congressional committees as a member of the Communist Party (the ACLU rescinded its ban on Communists in 1967).* Other organizations which have provided attorneys for this drive include the National Lawyers Guild, the Center for Constitutional Rights, and the National Emergency Civil Liberties Committee. Both the NLG and NECLC have been officially cited many times as Communist fronts, and the CCR has been described as an offshoot of the Guild.

The other two groups cited above -- the SWP and PRDF -- are of particular importance because of their effectiveness in bringing about the destruction of domestic intelligence gathering activity. The SWP is generally portrayed in the broadcast and print media as a socialist organization whose members, at worst, hold "unpopular" views; tied to this portrait is the alleged failure of the government to find, during some 38 years of surveillance, any evidence of provable illegality on the part of the SWP and its members, an allegation which appears to ignore the fact that, in 1941, some 18

*According to the House Committee on Un-American Activities in its February 16, 1959, report on Communist Legal Subversion, Donner was identified as a member of the CPUSA by Herbert Fuchs, Mortimer Reimer, and Harry Cooper in sworn testimony before the Committee on December 13, 1955, December 14, 1955, and March 1, 1956, respectively. All three were former Communist Party members who, based on first-hand knowledge, testified to Donner's having been "a member of a Communist cell comprised of lawyers employed by the National Labor Relations Board in Washington, D.C.," during the 1940's. On June 28, 1956, Donner appeared before the Committee and "invoked the first and fifth amendments when he was questioned concerning Communist Party membership and affiliations." According to the same document, Donner "was recently named general counsel for the United Electrical, Radio and Machine Workers of America," characterized as a "Communist-controlled union, which was ousted by the CIO in 1950," and has been actively associated with three of the Communist Party's most important front organizations: the National Lawyers Guild, the American Committee for Protection of Foreign Born, and the Emergency Civil Liberties Committee. More recently, Donner has served on the advisory board of the Organizing Committee for a Fifth Estate (OC-5), whose magazine Counterspy has been widely credited with helping by publicizing his identity in its pages - bring about the murder in December, 1975, of CIA agent Richard Welch in Athens, Greece.

top leaders of the SWP were prosecuted and jailed in Minneapolis, Minnesota, under the terms of the Smith Act for advocating the overthrow of the United States government by force and violence. Also, in 1947 and 1948, the Attorney General of the United States officially found that the SWP was an organization which seeks "to alter the form of government of the United States by unconstitutional means." It would certainly seem that the facts are sharply at variance with the currently-popular impression.

NATURE AND ROLE OF SOCIALIST WORKERS PARTY

Based on available evidence, including internal documents published by the organization and intended solely for its own membership, the SWP is not merely a "socialist" organization. It is a revolutionary Communist group which adheres to the theory of the "permanent revolution" enunciated by Leon Trotsky, one of the principal figures of the Bolshevik Revolution of 1917. Further, the SWP teaches candidates for full party membership that the ultimate necessity will be the violent overthrow of the United States government, although, for tactical reasons, the SWP does generally oppose terrorist violence as it is often rather haphazardly carried out.

Basic SWP doctrine is well expressed in the declaration of principles adopted at the organization's founding conference in 1938: "The main specific task of the S.W.P. is the mobilization of the American masses for struggle against American capitalism and for its overthrow." In a similar vein, the declaration avows that the party's goal is "the overthrow of the capitalist state and the dictatorship of the proletariat." Again, the SWP "always makes clear that war cannot be permanently prevented unless the imperialist government of the United States is overthrown and its place taken by a Workers' State...."

That the Socialist Workers Party is in reality a revolutionary Communist organization believing in the ultimate need for armed violence to overthrow the existing order is made abundantly clear in the following extract from a resolution adopted at the party's 1940 national convention:

The Bolshevik party of Lenin is the only party in history which successfully conquered and held state power. The S.W.P., as a combat organization, which aims at achieving power in this country, models its organization forms and methods after those of the Russian Bolshevik party, adapting them, naturally, to the experience of recent years and to concrete American traditions.

The S.W.P. as a revolutionary workers party is based on the doctrines of scientific socialism as embodied in the principal works of Marx, Engels, Lenin and Trotsky and incorporated in the basic documents and resolution of the first four Congresses of the Communist (3rd) International and of the conferences and congresses of the Fourth International.

Related to this entire concept is the following extremely revealing statement made by the SWP's National Secretary in an address to the party's 1973 national convention:

You know, our ideas aren't originally American ideas. Our ideas are basically Russian. That's what Comrade Cannon /James P. Cannon, founder of the SWP/ always emphasized. And if you look up at the banners of Lenin and Trotsky there, you will see the two main Russians whose ideas they are.

As indicated above, the SWP's disavowal of terrorist violence as it is often carried out is based on tactical considerations. It is not that the SWP opposes violence as such, whether it be terrorist or otherwise; rather, the organization disavows violence, including terrorist violence, that is not under its direction, or that is not fully justified by a specific set of circumstances. Thus, the issue becomes, instead of a question of ethics, one of utility within the context of a given revolutionary situation -- or, put another way, terrorism is, rather than a question of abstract morality, something to be used according to the dictates of the objective realities of the moment. It becomes, to quote a famous aphorism attributed to Soviet leader V. M. Molotov in another context, "a matter of taste." Such is the clear import of a statement by one of the SWP's key leaders as published in 1973 in the Fourth International's International Internal Discussion Bulletin:

The word "terrorism" is commonly used to mean the politics of those who believe that violent actions against individual bourgeois figures can bring about social change, precipitate a revolutionary situation, or electrify or help mobilize the masses even if undertaken by isolated individuals or groups. Terrorism in that sense is rejected by the Marxist movement. But under the conditions of civil war, terrorist acts can have a totally different political import. Their isolated nature fades. In the process of an insurrection, terrorist acts may be advantageous to the workers movement. They may also be damaging. But terrorist acts that are not part of a generalized mass armed struggle remain isolated and are detrimental to the workers movement. /Emphasis in original./

In addition, the SWP is a constituent part of the Trotskyite Communist Fourth International. It is interesting as an illustration of the importance of basic Trotskyite revolutionary ideology that, despite the fact that the majority leadership within the SWP opposes terrorist violence on tactical grounds, the SWP remains committed to the Fourth International and the International's leadership, which supports overt terrorist violence in many countries, especially in Latin America where Trotskyism and terrorism are by no means mutually exclusive phenomena. This is made dramatically clear by the language of a resolution passed at the Ninth World Congress of the Fourth International in 1969:

Take advantage of every opportunity not only to increase the number of rural guerrilla nuclei but also to promote forms of armed struggle especially adapted to certain zones (for example, the mining zones in Bolivia) and to undertake actions in the big cities aimed both at striking the nerve centers (key points in the economy and transport, etc.) and at punishing the hangmen of the regime as well as achieving propagandistic and psychological successes (the experience of the European resistance to Nazism would be helpful in this regard).

Such is the true nature of the media-popularized "socialist" group which, with its lawsuits and FOI actions, conducted chiefly through the PRDF, which operates as a front for the SWP rather than merely as an independent legal action organization, has done as much as any other organization to immobilize intelligence gathering through the use of informants. It is clear that, according to any even marginally rational standard, there is more than enough presumptive evidence available to warrant surveillance of the SWP as a potential source of revolutionary violence within this nation. One might assume that the law enforcement community does engage in such surveillance of the SWP, and this certainly has been the case in the past; however, because of guidelines promulgated by former Attorney General Edward Levi in April 1976, the FBI has ended its 38-year surveillance of the SWP.*

*The true nature of both the Socialist Workers Party and the Fourth International has been documented, in elaborate detail, in two publications which are literally indispensable to an understanding of this question. They are the testimony of Herbert Romerstein in hearings, Trotskyite Terrorist International, Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, U.S. Senate, 94th Congress, 1st Session, July 24, 1975, and a volume by Representative Lawrence P. McDonald on Trotskyism and Terror: The Strategy of Revolution (Washington, D.C.: ACU Education and Research Institute, 1977).

Despite the SWP's adherence to revolutionary Communist ideology, and despite the SWP's demonstrated support for the pro-terrorist leadership of the Fourth International, there are today no FBI informants operating within the organization. This is because, under the Levi guidelines, surveillance by informant must be directly related to the actual or imminent committing of violence. (There is FBI surveillance, albeit to a far more limited extent than was the case in the past, of the Communist Party, USA, based on a recognition of the Party's close ties to the Soviet Union, although even this surveillance is no longer a part of the Bureau's domestic security activity.)

NEED FOR INFORMANTS: A HYPOTHETICAL CASE

Many expert observers feel that this policy is inherently shortsighted and unrealistic in that it fails to recognize the way in which perpetrators of terrorist violence frequently evolve in their radical and revolutionary affiliations. Take, for example, the following hypothetical case.

Let us assume that a disgruntled Army veteran with a police record were to organize a group comprised of other disaffected veterans of an unpopular war, later leaving this group because it was allegedly not revolutionary enough for his tastes. Let us assume that this same individual joined an avowedly Maoist Communist group, later leaving it for the same reason.

Let us assume that this person's activities and utterances were of the sort that aroused the interests of law enforcement agencies mandated to conduct surveillance of potentially revolutionary movements and individuals and that, in pursuance of this established goal, these agencies placed one or more informants into these groups on the ground that such an individual possessed the capability, even if only a potential one, of committing violent acts in furtherance of a revolutionary Communist ideology having as its ultimate aim the destruction of our society.

Still pursuing our hypothetical activist, let us assume that, in conjunction with others of similar bent, he establishes a new group, one dedicated to overt terrorism, and begins to lay plans for the commission of violent political acts as part of his concept of advancing the revolution. At the same time, the informants have remained in his orbit as he starts planning at least one politically motivated murder, the assassination of a prominent public official.

As the plans progress, the informants report regularly to their contacts in the law enforcement intelligence community, apprising them of each step in the development of the conspiracy, with the result that those who are organizing the assassination are apprehended before the scheme can be implemented. On the basis of the first-hand evidence provided by the informants, those responsible for conceiving, planning, and very nearly executing a specific, overt act of terrorist violence are tried, convicted, and appropriately sentenced for their crime.

NEED FOR INFORMANTS: THE CORRESPONDING REALITY

If the above seems fanciful, it may be instructive to note that the various particulars cited with respect to our hypothetical activist correspond exactly to one of the principal leaders of the Symbionese Liberation Army, Joseph Remiro, who was eventually apprehended and charged with the murder of Marcus Foster, superintendent of the Oakland, California, public schools. The point here is that had there been informant coverage of Remiro as he moved from activities with the militantly pro-Communist Vietnam Veterans Against the War through affiliation with the aggressively Maoist Venceremos Organization into the openly terrorist SLA, it might have been possible to foil the plot to assassinate Foster and arrest the planners of the murder before they could carry it out successfully. The harsh fact is that, according to all available indications, such informant coverage was not maintained and -- more to the point -- could not be maintained under present constraints.

One might object, of course, that present guidelines as applied to the FBI allow for such surveillance in the event of there being a demonstrable relationship between radical individuals and groups and the imminent commission of violent acts. The flaw in this position is that it takes time to develop a really close relationship between an informant and his "target", so that by the time a very closely knit cadre is developed in order to plan an act of terrorist violence, it is absurd to argue that the group is going to admit into its inner circle an unknown quantity. The informant must have been active from the earliest stages of the group's development -- to have, in popular parlance, "paid his dues" along the way.

Is such dramatic last-minute prevention of a terrorist crime impossible? To many, it may seem so. However, in 1965 it developed that a New York City police officer, at great risk to his own life, had infiltrated a revolutionary group which had conceived a plot to blow up several national monuments. Precisely because this officer had cultivated his association with the group, the authorities were able to apprehend them when they transported explosives into the United States from Canada for the implementation of their terrorist campaign. The offenders were tried and convicted, but one must ask whether this could have been accomplished if the authorities had been forced into the Procrustean bed of present restraints on informant activity.

Similarly, in 1967, some 17 members of another terrorist group were arrested in New York and Philadelphia and charged with plotting the assassinations of two respected civil rights leaders, Whitney Young of the National Urban League and Roy Wilkins of the National Association for the Advancement of Colored People. Their arrests prevented two potentially tragic acts of terrorism which would have severely damaged the legitimate civil rights movement in the United States, and they were made possible precisely because undercover informants for the New York City police had managed to penetrate the terrorist group.

With such examples in mind -- and it should be remembered that they are by no means isolated exceptions -- it is appropriate to ask again whether such informant coverage just might have led to Marcus Foster's being alive today. The question, to an objective observer, must be a disturbing one.

COLLAPSE OF INTERNAL SECURITY: LAW ENFORCEMENT AGENCIES

The reality of our present situation is, to reiterate a point made earlier, that the nation, primarily because of the crippling of government domestic intelligence gathering capability, is seriously hampered in dealing with terrorist violence, especially from the standpoint of preventive action of the sort employed in the two cases cited above. Logically, it is hardly sufficient to have manpower and hardware if you do not also possess the ability to gather and maintain intelligence data, which is vital to any informed understanding of the potential threat posed by radical groups and individuals; but the nation's law enforcement community is today virtually bereft of such a capability, as is the Congress of the United States which is charged with framing and passing such legislation as may be needed from time to time to enable government to proceed against terrorists and other subversive activists according to law.

A substantial portion of terrorist activity occurs within the jurisdictions of local police authorities, which would seem to make it imperative that there be functioning counter-subversive police intelligence units so that the authorities can have an adequate means of assessing potential threats to life and property. Despite this obvious need, however, so-called police "red squads" in key areas have been harassed out of existence. In Chicago, for example, according to the June 15, 1976, annual report of the Senate Internal Security Subcommittee, "a Communist-front organization, the Alliance to End Repression, *** spearheaded the drive against the law enforcement intelligence activities of the Chicago Police Department, and *** virtually succeeded in paralyzing the department by filing law suits and involving other organizations and inspiring a press campaign against the Department." Today, as a result of the AER's efforts, the Chicago Police Department intelligence unit's extensive files have been sealed. Similar situations exist at the local and state levels across the country. In the state of Texas and the city of Baltimore, Maryland, intelligence files have been literally destroyed; and the New York City Police Commissioner announced in 1973 that fully 80 percent of the NYPD intelligence unit's files on "public security matters" had been purged. It has been reported that in both New York City and Los Angeles, California, membership in the Communist Party or Socialist Workers Party is no longer deemed worthy of note in police files.

This situation has given rise to serious difficulty at times. When the Puerto Rican Armed Forces of National Liberation (FALN) bombed Fraunces Tavern in New York City, killing four people and wounding more than 50 others, the police bomb squad had to contact security forces in other areas in an attempt to acquire information on the perpetrators. This was made necessary because two years earlier the department had destroyed all of its files on Puerto Rican suspects. Similarly, the District of Columbia police authorities, faced with possibly violent demonstrations in Washington during the Bicentennial observances in 1976, had "no hard intelligence available from any source" at their disposal, despite the fact that numerous accounts, including

even those in the general press, clearly indicated that at least some of the organizers of the demonstrations were planning serious disruptions. At a later point, when the Shah of Iran visited the Washington, D.C. area and was met with violent demonstrations organized by the Iranian Students Association, it developed that the U.S. Park Police, who had to cope as best they could with the situation, had not been prepared for such an eventuality. Through no fault of their own, they reportedly possessed no intelligence information whatsoever as to the true nature of the organization responsible for the violence. In prior years, such information, which was well-known to intelligence specialists, would have been made available to the Park Police as a matter of course; now, however, present constraints make such routine exchange of information impossible, leaving law enforcement officers literally at the mercy of violence-prone groups.

Also at the state level, there are today, so far as is known, no functioning legislative committees charged specifically with investigation of subversive and violent individuals and organizations. The last such committee, a California Senate body which had been in existence continually since the early 1940s, filed its last report in 1970.

COLLAPSE OF INTERNAL SECURITY: FEDERAL AGENCIES

At the national level, the Attorney General's list of subversive organizations has been abolished, as have what the New York Times calls "all political loyalty questions on the standard application for Federal jobs." This, of course, leaves the government without two of the primary tools needed in operating a rational personnel loyalty-security program. Likewise, the Internal Security Division of the Department of Justice has been abolished as an independent, fully-staffed section within the Department and reduced to the status of a section within the Criminal Division. Justice Department prosecutorial activity in the internal security field has all but ceased to exist.

The Subversive Activities Control Board, once a principal agency of the executive branch in its internal security efforts, has also ceased to exist, despite serious attempts by some members of Congress to revamp the Board as a major part of an overhauled and reinvigorated personnel security program. Rather than embark on a comprehensive program to revive the Board through appropriate legislative and other action, the President decided not to include any funding request for the Board in the federal budget, with the result that the SACB passed out of existence in 1974.

The government's personnel loyalty-security program is, as hinted immediately above, in a state of disarray; indeed, based on information contained in a recently-published February 9, 1978, hearing before the Subcommittee on Criminal Laws and Procedures of the Senate Judiciary Committee (The Erosion of Law Enforcement Intelligence and Its Impact on the Public Security, Part 4), it appears fair to say

that it has been reduced to a nullity. Included in this volume is a letter written on March 1, 1978, by Senators James O. Eastland (D-Miss.) and Strom Thurmond (R-S.C.), Chairman and Ranking Minority Member, respectively, of the full Judiciary Committee, to Alan K. Campbell, Chairman of the U.S. Civil Service Commission, commenting on the import of the testimony presented on February 9 by Campbell and Director Robert J. Drummond, Jr., of the Commission's Bureau of Personnel Investigations. Because they convey, in a manner at once both grim and precise, so excellent a picture of the current reality of the personnel security program, the following paragraphs are quoted in full:

A very serious question is raised by your statement that "most law enforcement officials personally would like to cooperate with us, but because of confusion resulting from different interpretations of LEAA /Law Enforcement Assistance Administration/ regulations, Privacy Act provisions and state laws, they play it safe by declining to release information." If you can't get information from local law enforcement agencies, it becomes abundantly clear that your ability to do meaningful background checks is virtually non-existent.

Although the primary focus of our recent hearing was on the impact that the erosion of law enforcement intelligence has had on the public security, we were particularly disturbed by what emerged concerning the entire state of our Federal Loyalty-Security Program.

You were asked whether loyalty to the United States Government was still a condition of Federal employment --and you replied that it was. You next agreed that "The starting point of any intelligence operation relating to personnel security in Federal employment would be the establishment of certain criteria or guidelines." But you then testified that you did not have any such criteria.

Then it emerged that as matters now stand you do not even ask questions of applicants for sensitive positions whether they are or have been members of Communist or Nazi or other totalitarian or violence-prone organizations --that in the absence of an overt act, mere membership in such organizations would not disqualify a person for Federal employment. In the course of the questioning, we mentioned quite a number of organizations--the American Communist Party /CPUSA/; the KKK; the American Nazi Party; the Maoists; the Trotskyists; the Praire Fire Organizing Committee--which publicly supports the terrorist

activities of the Weather Underground; the Puerto Rican Socialist Party--which similarly supports and defends the violence perpetrated by the Puerto Rican terrorists; the Jewish Defense League--which engages, in its own name, in acts of violence; and the Palestine Liberation Organization--whose American affiliates support the terrorist acts perpetrated by its parent organization in other countries. The same answer, apparently, applied to all organizations: In the absence of an overt act, mere membership is not a bar to Federal employment.

On the question of mere membership, Mr. Drummond at one point state that, if it were discovered that an applicant was a member of the KKK, he probably would not be considered suitable for a job with the Equal Employment Opportunities Commission--although his membership would apparently be no bar to employment in other government positions, even sensitive positions. What Mr. Drummond did not explain was how you could possibly find out that an applicant was a member of the KKK if you cannot ask the applicant or those who know him any questions about mere membership in any organization. Nor did Mr. Drummond offer any example of the kind of employment for which mere members of the many other organizations of the far left and the far right might be found suitable.

You also informed the Subcommittee that the Index Card System set up in the forties has been eliminated "by action of the Commission", pursuant to Section (e) (7) of the Privacy Act; and that you have notified GAO /the General Accounting Office/ that you "will adopt the GAO recommendation to dispose" of the organizational files which still remain in the possession of the Commission.

In the light of this information, I find it difficult to avoid the conclusion that over the past five years or so, without the knowledge of Congress and contrary to statutory requirement and the Commission's own regulations, there has been a progressive dismantling of the Federal Loyalty-Security Program--until today, for all practical purposes, we do not have a Federal Employee Security Program worthy of the name.

Domestic intelligence gathering activities by our military services have been totally emasculated despite the patent need of the military to develop and maintain reliable intelligence data on individuals and groups which pose a potential or actual threat in civil disturbance situations. Extensive files developed by the Army, for example, were

physically destroyed, thanks in large measure to a campaign of exposure waged by certain members of Congress who seized upon sensational allegations in the media, many of them contained in articles written by disaffected former military intelligence personnel -- some of whom wound up as paid consultants for Senate investigations of purported "abuses" of intelligence gathering by the Army.

COLLAPSE OF INTERNAL SECURITY: FEDERAL BUREAU OF INVESTIGATION

It might, of course, be argued that it is not necessary for the military to maintain such a capability because such jurisdiction more properly resides in the Federal Bureau of Investigation. The only problem with this formulation, however, is that the Bureau no longer really has such a capability -- again due in large measure to the steady barrage of attacks on the Bureau by, among others, the Church and Pike committees because of alleged abuses in the Bureau's counter-intelligence program (COINTELPRO). The primary result of the campaign of harassment waged against performance of any meaningful internal security function by the FBI has probably been the Levi guidelines, already mentioned.

The effect of these restraints is graphically illustrated by the following statistics, taken from official FBI sources. As of July 31, 1973, there were no fewer than 21,414 domestic security investigations pending in the FBI. By March 31, 1976, just prior to the promulgation of the Levi guidelines, this figure had shrunk to 4,868, while as of September 20, 1976, it was drastically reduced to only 626. As of February 24, 1978, the number of domestic security investigations claimed by the Bureau was a mere 102 (84 individuals and 18 organizations). According to a recent pronouncement by the FBI's new director, William H. Webster, the situation has deteriorated even further. Judge Webster's figures reflect that there are today some 1,789 informants utilized by the Bureau for general criminal information, with 1,060 informants providing information on organized crime; in stark contrast to these figures, the Bureau is today using only 42 informants in domestic security and terrorism matters and has only 61 individuals and 12 organizations under active investigation in this connection.

The extent to which the military is able to rely on domestic intelligence information developed by the Bureau is indicated by another statement attributed to Webster to the effect that the FBI is today "practically out of the domestic security field." The implications of this statement are all too obvious. While such a statement may appeal to those, both in Congress and elsewhere, who desire the absolute destruction of internal security work on civil libertarian grounds, it must be especially good news to those groups which, like the CPUSA and SWP, are working tirelessly to advance the cause of Communist revolution in this country and which, in the case of the SWP, support an international apparatus which in turn renders active aid to terrorist violence around the world.

According to recent press accounts, the administration is currently holding "top-level strategy sessions to evaluate the nation's ability to combat acts of terrorism," a fact which may seem encouraging at first glance. Given the other facts cited above, however, it is to be wondered just how effective a strategy can be reached without a corollary recognition of the essential importance of domestic intelligence gathering activity -- a recognition which seems clearly not to exist at this point. In fact, quite the opposite appears to be the case. In contrast to prior years, when government agencies at all levels were seriously concerned with the threat posed by Communist and other subversive organizations and individuals, the current emphasis seems to be on prosecuting those whose mission it has been to investigate and apprehend those who would destroy the country.

COLLAPSE OF INTERNAL SECURITY: CONGRESS OF THE UNITED STATES

Added to the present less-than-adequate posture of the executive branch agencies, as well as similar agencies on the state and local levels, is the fact that Congress itself no longer has standing committees with expert staff to maintain the sort of continuing inquiry into subversive activity that is requisite to truly informed legislative effort in this area, admittedly a constitutionally sensitive one. At the outset of the 94th Congress in 1975, the House of Representatives adopted new rules which, among other changes, abolished the standing Committee on Internal Security, transferring jurisdiction over Communist and other subversive activities to the House Judiciary Committee. In the intervening three and one-half years, the Judiciary Committee, as part of its expanded mandate in a time of growing worldwide terrorist violence, has conducted no investigation of the problem. Legislation to deal with terrorist crimes has been before the Committee since 1975 without any action being taken. Instead of continuing inquiry into movements which support or engage in terrorism, the committee has indulged in continuing inquiry into alleged abuses of power by the government agency -- the FBI -- upon which the nation should be able to rely in preventing terrorism, thereby accelerating the dismantling of what is left of our internal security defenses.

In the U.S. Senate, a similar situation prevails. Since 1951, the Senate Judiciary Committee had a standing Subcommittee on Internal Security which was charged with an ongoing inquiry into revolutionary activities with a view to possible legislative remedies. Now the subcommittee no longer exists as a separate entity. A handful of former subcommittee staff personnel have been allowed to remain as a subgrouping within the staff of the Subcommittee on Criminal Laws and Procedures, carrying on useful work on the erosion of law enforcement intelligence capabilities; but with the decision by Senator Eastland not to seek reelection to his Senate seat, it is probable that after 1978, what little remains of the Internal Security Subcommittee's work will cease to exist. This means that Congress will have no standing body in either house whose mandate requires continuing, competent inquiry into Communist and terrorist activities in the United States.

The result, inevitably, is that such legislation as Congress may enact to deal with terrorism will of necessity be passed in a vacuum created by the lack of reliable, documented information about those who commit terrorist acts. Witnesses from the executive branch can testify in support of bills, but the question arises whether their testimony can -- absent any meaningful domestic intelligence capability in, for example, the FBI -- possibly be based on a rational assessment of the problem flowing from an understanding of the people and groups involved. Sociological formulations with respect to the causes of terrorism are all well and good, as are psychological formulations with respect to the motivations of terrorists, but key questions will remain unanswered: Who are the terrorists? What are the terrorist organizations? What are their international linkages? What is their ideology? What are their patterns of operation? Who provides their legal and other support? Such questions must be faced and answers developed, but it is impossible to do so if the nation's legislative and law enforcement intelligence-related instrumentalities have been forced out of existence in an orgy of reaction to what some, and by no means all, people see as possible past abuses by the intelligence community. The issue is not what some police or FBI officials may have done in the past; the issue is how the nation is to keep itself informed as to the very real terrorist threat in the here and now.

THE PRESENT DANGER

It is worth noting that in a leading decision in the area of government's need to cope effectively with subversive activity (Dennis v. U.S., 341 U.S. 494 /1951/), the United States Supreme Court realistically observed that "To those who would paralyze our Government in the face of impending threat by encasing it in a semantic /First Amendment/ strait jacket we must reply that all concepts are relative" and that "if a society cannot protect its very structure from armed internal attack, it must follow that no subordinate value can be protected." The same decision includes the following passage which bears particular relevance to the notion, enshrined in the present FBI guidelines, that counter-intelligence actions must be based on the tangible threat of immediate or at least imminent violent action by revolutionary groups:

Obviously, the words cannot mean that before the Government may act, it must wait until the putsch is about to be executed, the plans have been laid and the signal is awaited. If Government is aware that a group aiming at its overthrow is attempting to indoctrinate its members and to commit them to a course whereby they will strike when the leaders feel the circumstances permit, action by the Government is required.

Compare this sentiment, based on a realistic appreciation of the problem of subversion and revolutionary violence in our time, with the

present situation in which, rather than maintain the maximum feasible domestic intelligence capability, we have instead immobilized our intelligence community to the point that, as indicated in recent testimony before a Senate subcommittee by the head of the U.S. Secret Service, there are cities in the United States which the Secret Service recommends the President not visit because the Secret Service has no way of accurately gauging the possible threat to his life from terrorist groups. This shocking situation has been brought about precisely because domestic intelligence information cannot be developed and exchanged as was the case in prior years.

The implications of this situation are obvious. It is quite conceivable that this country is reaching the point where its principal elected official cannot travel freely for fear of terrorist action and that tools by which its law enforcement agencies might deal most effectively with such a problem have been denied them for what are, at bottom, essentially frivolous reasons. In this connection, it is worth noting that when Aldo Moro was kidnapped and subsequently murdered by terrorists, the Italian authorities were seriously hindered in their ability to respond effectively. According to at least one high official,

We are vulnerable because we are stripped. Under pressure from Communist and other Leftist deputies we dismantled our secret services. We were forced to on the pretext that they represented a State within the State. Our files were destroyed to preserve what the leftists called "civil liberties."

In this connection, a copyrighted article by Rowland Evans and Robert Novak published in the May 29, 1978, edition of the Washington Post is particularly revealing. According to this source, "Rigid clamps placed on secret U.S. intelligence operations by a fearful Congress" in a law signed on December 30, 1974, forced the CIA "to reject a top-priority request for help from Italy in that nation's agony during the abduction and murder of Aldo Moro by left-wing terrorists." The request, which was delivered to the Agency by the "secret liaison arm of Italy's intelligence service," asked help in dealing with the Red Brigades, a request which formerly "would have been instantly and routinely met."

After two weeks of examination of the pros and cons, CIA Director Stansfield Turner and "his legal advisers" felt compelled to reject the request. According to Evans and Novak, acceding to the request might have been possible "without running afoul of the law."

Their fear, however, went deeper than the cold print of the law. They feared, probably rightly, that even if CIA's clandestine help to Italy in a moment of extreme agony had been ruled technically legal, the chance of discovery by unfriendly congressional sleuths could have fanned it into another political expose. That this was

neither subverting a legally elected government nor intruding in another country's election made no difference.

Under the law, all undercover operations in foreign countries other than routine intelligence gathering are prohibited "unless and until the president finds that each such operation is important to the national security of the United States." To respond affirmatively to the Italian government's request would have necessitated a meeting of the National Security Council and a specific directive by the President, followed by notification of four committees of Congress. There is an exception dealing with a "generic" finding by the President permitting clandestine CIA help in coping with "international" terrorism, but unnamed administration officials apparently felt that there was not sufficient "absolute proof" of international linkages on the part of the Red Brigades to warrant using this provision as justification. Thus, the Italian government was denied CIA assistance and had to content itself with "overt assistance from a single State Department psychiatrist."

The concluding paragraphs of the Evans and Novak piece are most revealing in assessing our present capability to respond quickly and effectively to international terrorist acts:

These tragic overtones of CIA impotence in a matter of extreme urgency to Italy go far beyond Italy alone. In the past, U.S. intelligence would have been on the scene helping to unlock the secrets of the Red Brigades; it would also have been the beneficiary of invaluable, on-the-spot information about the Red Brigades and about methods of Italian intelligence.

Exposure to such details is the heart and soul of the intelligence game, permitting the U.S. agents to compile a record that some day could be essential in uncovering future terrorist operations -- perhaps in the United States itself. But the CIA's hands were tied in a case demanding speed, courage and political support. The result: a costly defeat in the war to preserve democratic institutions.

Such an instance as this, especially when taken in conjunction with the other data cited earlier, would seem to lend considerable credence to the observation by the respected political thinker James Burnham in the June 9, 1978, issue of National Review that "for the past five years the U.S. has been stripping away its organizational, legal, and ideological defenses against terrorism" and that, as a result, "This unilateral disarmament of U.S. counter-terrorist agencies has reached a point at which serious counter-terrorist agencies (British, French, Israeli, Belgian, West German) will no longer give U.S. agencies the full cooperation necessary in what is by its nature a global struggle."

CONCLUSION

Terrorist groups and activities exist within the United States today, though they have not escalated to the point where, as in Italy and West Germany, they threaten to impair the functioning of democratic government and society, or, as in Rhodesia, where large scale emigration has resulted from the threat of foreign supported terrorism.

A frequently discussed question is why the U.S. has been free of major terrorist dangers in the past, and whatever sociological or political answers might be entertained, the fact remains that the United States has always been careful to provide strong internal security defenses against extremists and terrorists of all types. Terror from both the Right (the Ku Klux Klan, the Minutemen) and from the Left (the Weathermen, the Revolutionary Action Movement) has been foiled by the use of informants and surveillance techniques by the FBI and local police organizations. Where such surveillance has been absent, terror has been successful - as with the SLA, which successfully committed murder, bank robbery, the kidnapping of Patty Hearst, and multi-million dollar extortion, and eluded apprehension for months, until by sheer accident, its principal cadre was located and destroyed. Once a terrorist cadre has been formed and has become active, only accident or ruthlessness can destroy it - and perhaps democratic procedures as well. The choice between terrorist violence and its suppression by non-democratic means is not, fortunately, the real choice before America at the present time. The real choice now is between the restoration of adequate internal security programs within a democratic framework, or the likely development of organized terrorism in the near future, with the dilemmas which would then be forced upon us.

The ultimate question, of course, is what can be done? Many of the current restraints which have hamstrung our law enforcement community are, like the Levi guidelines, administratively imposed and therefore not readily susceptible to public pressure. In Congress, however, there is one development which proponents believe might hold realistic promises of success in at least beginning a reversal of the trend against sensible internal security measures. It is the introduction of House Resolution 48 to reestablish the House Internal Security Committee as a standing body with expert staff to conduct a continuing inquiry into terrorist and other subversive activity with a view to necessary remedial legislation. Co-sponsored by Representatives Lawrence P. McDonald (D-GA) and John M. Ashbrook (R-OH), H. Res. 48 presently enjoys the support of better than 170 members of the House of Representatives, a fact which indicates substantial constituent support. This proposal is pending before the Rules Committee, whose chairman, Representative James Delaney (D-NY), has shown no disposition to clear it for action by the full House of Representatives. Several concerned organizations and citizens, however, are now engaged in a major effort at

bringing public pressure to bear so that at least one government agency with an ability to inquire into the current terrorist threat to the nation's security may be revived, hopefully before the situation becomes completely untenable.

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TERRORISM IN AMERICA: THE DEVELOPING INTERNAL SECURITY CRISIS

INTRODUCTION

Recent upsurges in terroristic activities throughout the world--in Europe, in Rhodesia, and in Southwest Africa (Namibia) --have given rise to the fear that the United States itself may soon experience a wave of terrorist violence. This fear is heightened by strong indications that European and African terrorists have received material support from the Soviet Union, Cuba, and from East European and Middle Eastern states. If terrorism were merely a spontaneous response to social grievances and political oppression, the United States might not have cause to feel alarm. But if terrorism is enabled to prosper because of the organized and clandestine efforts of hostile states, the problem becomes much more serious. Furthermore, such international support for terrorism would lead to many complications in other areas: the viability of U.S. internal security programs and the wisdom of the current restructuring of the FBI and CIA and of local police intelligence units; the relationships of the United States with the Soviet Union and Cuba; and the strategic and economic implications of U.S. relations with certain Middle Eastern countries. Also, of course, the question of the response to terrorism leads to a wide range of problems connected to civil liberties and human rights and to the role of punitive and preventive methods of dealing with terrorism and with crime in general.

That terrorist attacks in the United States in the near future are not improbable is suggested by the Director of the FBI, William H. Webster, in his recent remark that

Experience tells us that when we have epidemics like this around the world, it is very likely to come to the United States. (New York Times, March 30, 1978, p. 20)

and in the words of Dr. Robert Kupperman, chief scientist of the U.S. Arms Control and Disarmament Agency and a widely recognized authority on terrorism:

I'm not a soothsayer, but I'd have to say it's an odds-on bet that we're going to have some very serious problems in the next few years. We haven't seen much big-time terrorism in the U.S. yet, but you might say the clock is running. (U.S. News and World Report, March 6, 1978, p. 66)

According to a confidential CIA memorandum recently circulated among senior members of the Carter Administration, the United States will undergo a series of major terrorist assaults within the next eighteen months. The CIA believes that West European and Palestinian terrorists have established contacts with American sympathizers and that attacks on fuel and power facilities and commercial aircraft are likely.

RECENT HISTORY OF TERRORIST ACTIVITIES IN THE UNITED STATES

In the 1960's and early 1970's, terrorism became a well-known phenomenon in the United States, though never as disruptive as it is now in Europe. Such right-wing extremists as the Ku Klux Klan, the National Socialists, and the Minutemen and such left-wing extremists as the Weathermen, the Black Panthers, and the Symbionese Liberation Army habitually preached and practiced violence as a means of achieving their political goals. In recent years these terrorist and extremist groups have not been in the headline news, but in some cases their activities have persisted and in others, new groups -- sometimes even more secret and more extreme -- have been founded.

The persistence of terrorist violence into the mid and late 1970's is indicated by the FBI's statistics on crimes commonly associated with terrorism and political violence. Since 1970, for example, over 100 law enforcement officers have been killed by felonious assault each year, as the following table shows: