

MILWAUKEE, WISC.
JOURNAL

E-362,013
R-546,595

MAY 6 1966

License to Slander?

A showdown case in the federal court at Baltimore will determine whether the government spy organization can get away with setting itself altogether above and beyond the law. The central intelligence agency (CIA) is claiming a right to commit slander with immunity.

The plaintiff in the \$110,000 damage suit claims that a fellow Estonian native, who is a CIA operative, publicly and falsely accused him of being an agent of the Soviet secret police. The agency forbade its man to give a deposition and has demanded that the judge throw out the whole case summarily, leaving the plaintiff without recourse.

The CIA's shocking claim is that the accusation was uttered on official orders, therefore it was uttered in effect by the government itself and the government can't be sued! Further, that a trial would endanger national security by forcing the CIA to lift a corner of its veil of secrecy.

The implications of this theory, if our courts should swallow it, are horrendous. The CIA would have a license to blacken reputations at will for its own reasons, which would be nobody's business but its own, with no accountability even to courts of justice. The door would be open to use the spy arm of the government as an instrument of tyranny and oppression against the American people themselves.

A simple way for the CIA to guard whatever secrecy may be legitimate and necessary is not to let its agents make accusations that it is not willing to defend in court. If it can go around slandering people who are not allowed to seek justice, we are in very deep trouble. The Constitution does not conceivably have such an open door in it; the courts cannot conceivably open on