

**B419. "Patriot Act is Needed, but so are Revisions" The Christian Science Monitor (May 2, 2003) p. 11.**

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I have some personal reasons to oppose Congress's rushing to extend the Patriot Act. The act, which broadened government powers - to the extent of infringing civil liberties - to fight terrorism, includes a sunset provision. Sen. Orrin Hatch (R) of Utah has just moved to extend the act with no major revisions to the controversial measures. As I see it, this puts too much trust in the FBI.

And here's why:

In late 1964, I was teaching at Columbia University when someone named Bogdan Walewski called. He explained that he was a Polish citizen working for the UN and he wanted to drop by to discuss trends in American culture. He did, we had a good chat, and he invited me and my wife to dinner at an expensive French restaurant. I accepted the invitation without hesitation - however, I'd been divorced for more than a year, and I brought, instead, the woman who lived with me. We had a lavish dinner and pleasant chitchat.

Not long after that, Mr. Walewski called, saying he needed to come to my office on very urgent business. When he arrived, his tone was no longer so amiable. He told me that he knew that I was a Jewish refugee from Nazi Germany and that he'd read my recent New York Times magazine article that opposed a US policy proposal that would give West Germany a decision making role in the launch of US nuclear weapons. He said that the Soviet Union was very concerned about this matter, and that I could, single handedly, help stop the Germans dead in their tracks if I'd get him a highly secret report that my colleague, the presidential scholar and adviser Richard Neustadt, had prepared on the subject for President Johnson.

It took a long minute to sink in: I was being asked to spy. Not exactly a part of the daily routine of a university professor or, I guess, of anyone. I was stunned - and insulted - and I angrily told the man to leave my office and that I was going to call the FBI.

As he calmly went out the door, he quietly threatened me, saying he'd let it be known that I wasn't married to the woman I lived with. In that era, this was meant to be the social equivalent of a nuclear threat to my reputation. But compared with what he was asking me to do, it didn't slow me one bit - I was dialing the FBI before he even closed the door.

In that cold-war period, hardly removed from the McCarthy witch hunts, I guess I expected agents to ask me to set a trap for the guy or arrest him post haste. Instead, I got switchboard operator uninterested in my story. I decided to put it all in a memo right away, and sent it to the New York City FBI office.

In response, I received a form letter, appreciating my communication. I concluded that if nobody cared about Soviet spies on the UN payroll, operating in the city, I had other fish to fry.

Walewski disappeared from my life - until 1990, when he surprised me again. In a letter with a Manassas, Va., return address, he apologized. He explained that he'd been serving as an American agent and was ordered to check my loyalty. (He later was caught spying for the US in Warsaw, and was released in a 1985 spy exchange.)

The letter was occasion for reflection. It doesn't take a PhD in anything to realize that a free society will not remain free for long if critics of the government are treated like traitors.

I also understand that as of Sept. 11, we do need new measures to ensure our safety. Indeed, I favor many of them. But nothing teaches better than experience. Being treated as a suspect whose loyalty had to be tested because of a few speeches I'd made, articles I'd written, and demonstrations I'd marched in was so infuriating, that it gnawed at me for many years.

So I now hold that Congress should augment the Patriot Act to include closer supervision of the FBI by an outside body. Congress and the courts don't suffice. I suggest a citizen board - a group of deans of law schools and a few citizens respected for their independence and judiciousness: all people who could get a security clearance. This board would regularly review the way the FBI is using its new power, and issue semiannual reviews to inform us all if it is again going overboard.

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