

A proposal under review by the Clinton Administration, would allow the FBI to gather information, and, in some instances, infiltrate potentially menacing organizations, such as right wing paramilitary groups, even when there is no evidence of their involvement in criminal activity. Under current guidelines the FBI is forbidden from investigating such groups unless there is reasonable suspicion that they are trying to achieve their goals through unlawful means. After the bombing in 1995 in Oklahoma City, FBI officials have complained that current guidelines hinder them from gathering the kinds of information the FBI needs to prevent such tragedies. "The problem is that [current] rules require that we have criminal activity before we investigate," said Oliver B. Revell, a retired former FBI official. "That means, you have to wait until you have blood on the street before the Bureau can act." Under the proposal being considered, the FBI could infiltrate organizations or use informants to keep track of their activities.

Would relaxing the current FBI guidelines be morally justifiable? If so, why? If not, why not?

MODERATOR'S ANSWER: Relaxing the current FBI guidelines would be morally unjustifiable. Without a requirement of reasonable suspicion, the FBI could make decisions about which groups to infiltrate based solely upon the political views, ideological leanings, and personal prejudices of FBI officials. Furthermore, historically, infiltration has had a tendency often to result in the kind of violence it was intended to prevent. This is because infiltrating agents have strong motivations to encourage or provoke violent and illegal behavior -- e.g. in order to escape detection, to justify continuing the infiltration, or to express a bizarre personal inclination towards intrigue and betrayal that often seems to draw people into becoming infiltrators. Worst of all, the knowledge that the FBI has broad authority to infiltrate organizations would irreparably debase the value of basic rights, such as freedom of speech, press, and assembly, by creating a poisonous climate of suspicion and fear.

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