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A Shameless Presidency

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I did it but you can't prove it was a crime.

That, in essence, is the defense offered by President Nixon against the charges growing out of Watergate.

While hardly a shining example of moral leadership, his plea at least shows us where we are. Mr. Nixon is so lacking in shame that he seems to feel he ought to be president of the bank just because it can't be proved he robbed it.

The true character of the President's defense was reasserted last week with the White House statements on the cases involving the International Telephone & Telegraph Corp. (ITT) and the Associated Milk Producers. In each the President acknowledged responsibility but refused blame.

In the ITT matter, Mr. Nixon admitted that he had intervened through high Justice Department officials to discourage prosecution of an antitrust case. Mr. Nixon claims that his intervention was innocent, merely a matter of the President wanting "the Attorney General to see that his antitrust policy was carried out."

But if the intervention by the President was so innocent, why did two of the highest officials in his administration lie to a congressional committee when questioned about Mr. Nixon's role? Why did former Attorney General John Mitchell and Attorney General-designate Richard Kleindienst tell the Senate Judiciary Committee that the President had not intervened in the ITT case?

The almost certain answer is that

the two Justice Department officials were trying to protect Mr. Nixon. But from what? Judging by inner White House memos and the case of the lobbyist Dita Beard, it is hard to rule out the ITT offer of money to hold the Republican convention in San Diego.

Similarly with Mr. Nixon's defense in the milk producers case. He acknowledges important contributions from the dairymen which were brought to his attention in internal White House memos. He also admits that he met with representatives of the milk producers at the White House on the morning of March 23, 1971. He acknowledges that on the afternoon of March 23 he ordered a hike in the milk-support price which was highly favorable to the producers.

Mr. Nixon claims this decision was also an innocent one, unconnected with the milk producers' campaign contributions. He asserts that he was mainly acting under pressure from Democratic senators and representatives who were holding a legislative gun to his head.

But if so, why did the milk producers act as though they had something to hide? Why did they move clandestinely through the dummy organizations set up under the instructions of a lawyer, Herbert Kalmbach, identified as a presidential bag man?

The defense thrown up in the ITT and milk producers cases is only the latest example of the same brazen tactic. Time after time, Mr. Nixon has acknowledged responsibilities with stories that hold together only as hedges

against criminal prosecution.

Thus he acknowledged that he played a part in trying to get the Central Intelligence Agency to cover up the original Watergate burglary, but that it was for national security reasons. He admits that he took some fishy tax deductions for personal papers, but that it was at the suggestion of Lyndon Johnson. He also concedes that he and his secretary, Rose Mary Woods, played a part in the erasure of a critical section of a critical tape—but that, of course, was accidental.

What all this means is that Mr. Nixon is prepared to hang on until it can be proved that he is a crook. The country has to accept the challenge. The whole fate of Watergate now rests with what emerges from the investigation by the House Judiciary Committee considering impeachment, and the inquiry and trials being brought by the Watergate special prosecution. There is no reason for anyone to flinch from these operations.

For Mr. Nixon has shown himself to be a man without a sense of shame. He doesn't care two pins about what it means to the country, or his party or the public for the United States to have a President who cannot be trusted. Nor can it be claimed, as many including this columnist were wont to claim, that Mr. Nixon is only the latest in a long line of imperial Presidents. He has to be taken at his own value. The question he is forcing the country to answer is whether he is not the first criminal President in our history.