6/2/73

Dear Sol,

You had no monopoly on youthful inflexibility and the feeling of being what you put well in calling it a fountain of certainty. Most of us, however, whether or not we are inflexible when young, become very set in our thinking, beliefs and attitudes as we age. I see much of this.

Lil's fall seems to have done no permanent harm. Occasionally the knee is ak bit tender, but by now I can see no difference in her ability to get around. She spent a little while hoeing the garden we are trying to start, and while she is preparing lunch I'm rushing to respond so I can get back to writing the book for which there is no immediate prospect.

The man was Redlich. You knew him by his excellent reputation, I knew him by what he never expected anyone ever to see. Lawyers are not often prepared to be without an adversary. When they are, and when they expect to be able to operate in secret, the combination can offer more temptation than they can handle. In political situations, too many can't be honest, principled and responsible.

All you say of what Watergate means is quite true. In my view, it still falls short of the horrible reality, that it was part of a scheme (by probable paranoids) to firmly establish an authoritarian state. As there are new disclosures, and there should be even greater sensations, Nixon's point of no return presses upon him. It is not possible to be certain how he will react. It is difficult to imagine him giving up quietly, although I can and have anticipated this as a possibility. His alternative, if the case is fully developed, is force. His administration had been disasterous for all but the military and the wealthy.

Because of the nature of the work I've been doing for going on ten years now, I have seen the authoritarian trend I think clearly. My files contained much of the research necessary if I make the book long enough to include, which I doubt. (My Watergate files are more than a full file drawer right now.) JFK was tending away from authoritarianism whenhe was assassinated. Since then national policy has gone in the opposite direction. Especially legal policy, if you have followed it. Was anything else possible with Mitchells, Kleindienstz, Carswells, Burgers, etc.?

In any event, I plan to work the two themes in together, this is the trend and Nixon's history and this is how it was done, in which the crimes, to the degree necessary, are described and explained. Some of the crimes have not yet been exposed. Some may never be.

This is a dangerously sick man.

Hope all is going well with all of you and that it is possible for us to get together soon.

Sincerely,

SOL RABKIN
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522-7466

May 31, 1973

Mr. Harold Weisberg
Route 8
Frederick Md. 21701

Dear Harold,

This is not written on a beautiful sunny day because we've had only one such day this week, Tuesday, May 22, and the outlook is for more clouds and rain throughout the forthcoming holiday weekend. I'm very sorry to hear about Lil's fall though the sorrow is eased by the news that there was no serious damage. Give her our love and good wishes.

I find your comments about the inflexibility of not only our contemporaries but also our young adults of interest. When I was younger, especially very young (just out of college and law school) I was a fountain of certainty. I knew all the answers. Then as I grew older, got into my fifties and now my sixties, I found I had become a fountain of doubt. At first in those "good old days" I found it hard to say, "I don't know." Now I find I say it more and more often, seeing confusion and lack of sufficient knowledge on every question.

Having set forth the foregoing, I must now confess that I don't know whom you are referring to when you seek to remind me that I was inflexible when you mentioned to me the deplorable record of a man you knew must have the reputation of being as decent as he is competent and about whom I had a strong reaction when you commented on his record. And I have ~~always~~ never, even in my fountain of certainty days, refused to consider relevant established facts. Whatever discussion it is you are referring to, my stubbornness, if that it was, was as to whether I accepted the fact as established or whether I thought it relevant.

I find your plan to begin a Watergate book exciting. Any such book must make the point that the essential evil of the political activities made manifest in the Watergate incident and its concom-

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itants of
/espionage and sabotage of the opposition aimed not just at interfering with its activity but at so confusing it as to bring about its choice of a weaker, rather than the strongest candidate, pollutes the well of politics at its source, thus undermining the voluntarism which is the foundation stone of our political system which professes to strive for freedom. On that basis the Nixon-type Watergate corruption is far more dangerous than the ordinary money-gain corruption of the Teapot Dome scandal. To analogize the two is to misjudge the comparative dangers and evils of the two scandals. Teapot Dome was just a modern reproduction of the Tweed Ring, Nucky Johnson, Boss Hague venal corruption for financial gain. The ugly schemes being uncovered as a result of the Watergate break-in reflect a corruption and diversion of the wellsprings of our political system. One important aspect of that corruption is the institutionalization of the pattern of influence and political plum peddling implicit in concealed political campaign contributions which the Nixon Republican Party political fund raising campaign involved. Of course, it was an extension of the patterns of his political campaigns in California. But its application to the national scene by him and his California campaign cohorts was a quantitative change which was also qualitative. It is no surprise that California where the initiative, referendum and ~~real~~ recall techniques developed by populists there to overcome, they thought, the corruptions of representative government by allowing the people to operate politically directly, became the place where local business organizations, off-shoots of public relations agencies, could guaranty for a price to put any special-interest serving initiative proposition on the ballot and for a further price to get it through a referendum vote.

So much for "wise" observations. I would like to hear the details of your various suits against the DJ. And, of course, I wish you well in everything.

Sincerely,

Sol Rabkin

SR:mef