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Applying 'Nixon Solutions' to Watergate

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One of the reasons it is so hard to make any headway in resolving the Nixon administration scandals is that the courts, the House Judiciary Committee, the Senate Watergate Committee and the special prosecutor can't get the President to agree with them on how to proceed.

Every time either of them comes up with a proposal for getting Watergate behind us, the President introduces another doctrine: confidentiality, executive privilege, separation of powers, the unindictability of the President, the supremacy of national security or maybe even manifest destiny.

Well, it occurs to me that if the President won't agree with them, they might still be able to get the issue resolved by agreeing with *him*. The man, after all, has given a good deal of time and attention to crime in Washington.

It was, in fact, Richard Nixon who first identified Washington as "the crime capital of the world." That was back in 1968, before any of us knew what he was talking about, back when the Watergate was just a place for hearing Marine Band concerts.

It was almost five years later before the reality of the Nixonian "crime capital" started to sink in. It's common knowledge now, of course, what with half the administration on trial, in jail or under suspicion. It would be interesting to know how Mr. Nixon knew all this in advance, but suffice it to say that he did know.

The point is that the courts, the prosecutors and the investigators could begin by acknowledging the President's prescience in the matter.

But describing Washington as the "crime capital" merely identifies the problem. Diagnosis is pointless unless you also prescribe treatment.

And there again, Mr. Nixon is ahead of the rest of us. Less than two years after he took office, his administration had drawn up a model piece of legislation for dealing with the "crime capital of the world."

I refer, of course, to the D.C. Omnibus Crime Bill, truly a legislative breakthrough.

One of the key provisions of that bill, since enacted, authorized no-knock searches and seizures. The notion was that people who had in their possession evidence that could convict



By MacNelly for the Richmond News Leader

“Ever had one of those days when you wish you had a stick of dynamite?”

them of crimes would be disposed to get rid of it if they had the chance.

No-knock was designed to deny them that chance. Under the provisions of no-knock, the authorities can go to the suspect's house and, without bothering to put on their uniforms or otherwise identify themselves as officers of the law, break down the door and take the evidence they needed.

Surely that should suggest to Mr. Jaworski and Mr. Rodino a way to get the tapes and documents they need as evidence in their own proceedings. If they had taken advantage of the legislation earlier, they no doubt could have got at the tapes before “sinister forces” destroyed some of the more important conversations on them.

The beauty of doing it this way, of course, is that Mr. Nixon would have to accept it as a reasonable thing to do. It is, after all, his law.

If you were around Washington back in those enlightened days, you will remember another provision of Mr. Nixon's law-and-order law: preventive detention.

Preventive detention is based on the reasonable assumption that a good deal of criminal activity is the work of suspects who already have been accused of one offense but who haven't yet been convicted and sentenced.

Well, if anything is obvious, it is that a good deal of suspect activity went on after the first reports of the Watergate break-in. Indeed, it is the post-

break-in activity that constitutes the Watergate cover-up. Nor, in the face of the continued resistance of the White House, is there any reason to suppose that the cover-up has ended.

The solution is clear. The Watergate judges, investigators and prosecutors, pending the final outcome of their deliberations, should hold Mr. Nixon in preventive detention on the solid ground that he would otherwise go on doing what he's doing.

And since it is the President's own solution, not even James St. Clair could come up with a doctrine to neutralize it.

But they'd better hurry. Rumor has it that the chief suspect is planning to leave the country sometime soon.