

Tom Braden

Post 5/19/73
...and Protecting the Innocent

In the unfolding of any scandal, there is a seemingly inevitable moment when investigation and fact-minded comment give way to sanctimonious self-righteousness. It is a dangerous moment because the next step is abdication of responsibility in blanket indictment and bootless breast beating.

In the Watergate affair, we may be witnessing that moment right now. Thus, if Henry Kissinger and his former assistant, Gen. Alexander Haig, are considered to have been "compromised" by the Watergate, what is the next step?

Why, of course: Kissinger is "on trial"; Haig has "dirty hands"; government is "corrupt," and what we need now is to "change the whole spirit." Such comment strikes me as being much more akin to the creek bed and a total immersion than it is to the prosecution of guilty men.

And yet such comment is current in this city as the disclosure that Kissinger read wiretaps on his own employees gets headlines almost as large as those which greeted the first revelations by James McCord.

Are we so engrossed in scandal that we have lost any sense of distinction between scandal and government? I do not suggest that the picture of Kis-

singer sitting in his office poring over wiretaps on his own associates is a pretty one. But it ought not to shock those who have been around Washington very long, or those who have any sense of what the words "national security" mean. Is the government to have no secrets? Is there no recourse against those who sit at meetings in which strategy is planned and outlined and then telephone reporters to tell them what went on?

That was the reason why the wiretaps were authorized. Kissinger did not authorize them. He refused to request them. But he suspected that someone in his office was telling reporters about actual discussions at meetings in which decisions on policy toward Vietnam, North Korea and Israel were made. Kissinger refused to say who made the decision to wiretap in order to find out where the leaks were coming from. He admits that he did not object to the decision.

That points to the President. If Mr. Nixon did make the decision to put taps on people in the White House, it was not one of his historic firsts.

Moreover, it was not only legal; it was reasonable. How else could he stop the leaks? Moreover, to attack Mr. Nixon for stopping leaks is to give him the kind of national security blanket

for the Watergate which his recent reference to the threat of "mob violence" suggests that he is looking for.

Gen. Haig's testimony at the Daniel Ellsberg trial seems even less reprehensible. What did Haig do? The prosecution at the trial asked him to appear and to testify as to his duties and as to the exact nature of the duties of Dr. Morton Halperin, one of the employees on the National Security Council staff who had been wiretapped. Haig and Kissinger met to decide on the limits of Haig's testimony. Haig appeared; answered questions truthfully and went his way. In what possible sense can he be said to be "compromised"? He did not accuse Halperin; he defined Halperin's duties. Was this wrong?

There must be some point at which those who are conducting government may be permitted to go about the business without being suspected of engaging in a plot to disrupt an election, spy upon the opposition or raise and disburse illegal funds.

If everybody is "compromised" by the Watergate, then nobody is compromised, and people who were guilty of monstrous deceit and crime will escape public stigma in the kind of "orgy of recrimination" against which Kissinger once warned.

Los Angeles Times