

The President and His Action in the Latest 'Crisis'

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Special to The New York Times

WASHINGTON, April 10—The available clues suggest that President Nixon thought himself caught in another of his self-conscious "crises" when the Senate rejected the nomination of Judge G. Harold Carswell to the Supreme Court.

Faithful to his own, long-calculated counsel for such moments, the President withdrew at first to nurse his anger and to weigh the risks of various possible counterattacks. But yesterday, swiftly and boldly, as he has always told himself he must do, he struck back. His acknowledged target was the Senate—or at least the 61 members of the Senate who had voted against either Judge Carswell or the Administration's first nominee, Judge Clement F. Haynsworth Jr., or both.

Mr. Nixon called these Senators malicious character assassins and hypocrites on grounds they did not admit that they were prejudiced against Southerners—though in some cases the Senators were Southerners themselves.

An obvious, though unmentioned, target was also George C. Wallace, whose defeat in the Alabama Governorship primary next month has been a major political priority for the Administration. Mr. Nixon and his aides fear that Mr. Wallace would use the court battles here as evidence that the pressures for racial integration the Governorship, the Republican President can never satisfy Southerners who resent the pressures for racial integration.

End of a Competitor

By pre-empting Mr. Wallace's Confederate themes and working to defeat his bid to regain the Governorship, the Republicans hope to eliminate him as a competitor for the Presidency in 1972.

Hence the ultimate objective, now acknowledged for the first time, is the "South"—which Mr. Nixon spoke of not only as a geographical entity but also as a clearly identifiable segment of the population, with its own "legal philosophy." He said that 50 million Southerners—who include about 10 million Negroes—deserve "representation" on the Supreme Court and he called Judges Carswell and Haynsworth model representatives because of their views and birth in the South.

Washington woke up startled today by this remarkable change in the President's style. His decision to abandon the role of conciliator and the manner of respectful argument with his critics evoked an urgent stream of both political and psychological analysis. No one here pretends to know the consequences of this change, but most politicians and observers felt themselves witnesses at a turning point.

Mr. Nixon has always been

acutely concerned about his conduct in crisis, which he has generally defined as any moment of major political or physical challenge.

In his autobiographical account of "Six Crises," Mr. Nixon dwells on his internal tensions and calculations at a crucial point in the Congressional trials of Alger Hiss, on the night of his televised bid to save his candidacy for Vice President in 1952, in the days when President Eisenhower hovered between life and death in 1955, during a mob's threat on his life in Caracas in 1958, in his kitchen debate in Moscow with former Premier Nikita S. Khrushchev and his narrow defeat for the Presidency by John F. Kennedy in 1960.

Action to End Tension

The theme of that book is Mr. Nixon's conclusion that the correct response to challenge is a carefully planned but decisive riposte aimed at victory.

"One of the most trying experiences an individual can go through is the period of doubt, of soul-searching, to determine whether to fight the battle or to fly from it," Mr. Nixon wrote of the Hiss case.

"It is in such a period that almost unbearable tensions build up, tensions that can be relieved only by taking action, one way or the other. On the other hand, if one is to act and to lead responsibly he must necessarily go through this period of soul-searching and testing of alternate courses of action. Otherwise he shoots from the hip, misses the target and loses the battle through sheer recklessness.

The President let it be known during the debates on both Judges Haynsworth and Carswell that he regarded the Senate's resistance to them as an affront to his sense of Presidential prerogative. He saw his power and his stature on trial and in such situations he has habitually told himself not to shrink from battle.

He has recalled the great strain of observing diplomatic civility in the Khrushchev debate. "There is nothing more wearing than to suppress the natural impulse to meet a crisis head-on, using every possible resource to achieve victory," he wrote of that encounter.

Outlet for Aggressiveness

"When the situation requires that an individual restrain himself from acting decisively over a long period," Mr. Nixon said in his chapter on the days of doubt after General Eisenhower's heart attack, "this can be the most wearing of all crises."

An aide kept him from tearing to pieces the man who spat in his face in Caracas, Mr. Nixon recalled, but as the assailant was whirled from his path, "I at least had the satisfaction of planting a healthy kick in his shins." Nothing I did all day," Mr. Nixon added, "made me feel better."

The President's aggressive response to challenge has long been a subject of quiet discussion by both friends and adversaries. Sympathetic biogra-

phers, such as Earl Mazo, have remarked on Mr. Nixon's efforts to channel the aggressive impulse into constructive endeavor.

A report in 1968 that Mr. Nixon sought medical counsel about his handling of tensions has never been fully explained. In introducing his Cabinet selections in December, 1968, the President-elect commented several times that he had chosen a number of men because he knew them to be "cool" in a crisis.

Throughout the court battles and in the aftermath of the last 48 hours, the President turned above all to attorney General John N. Mitchell. It was Mr. Mitchell's cool and calculating strategy that led Mr. Nixon to his Southern-based strategy in the 1968 campaign and allowed him to win by a narrow margin over Hubert H. Humphrey and Mr. Wallace.

It was Mr. Mitchell's calculations, also that led to the choice of a border-state figure Gov. Spiro T. Agnew of Maryland, for the Vice Presidency, for the effort to shift responsibility for the legally minimal enforcement of school desegregation from the Federal Government to the courts and for the selection of two Southern "strict constructionists" for the Abe Fortas seat on the Court.

Even some supporters of the two nominations in the Senate who suspected traces of anti-Southern prejudice in some of their colleagues' votes had urged Mr. Nixon to contain his anger and not to choose a course that would whip up sectional and racial passions in an already divided nation. They said that Judge Carswell, as such, had only reluctant sup-

port even among Southerners because of his lack-luster qualifications.

But the available evidence, and the testimony of some aides during the battle, suggests that Mr. Nixon felt an inner need to avenge not only the rebuke of his nominees but a sense of affront to the Presidency and his strategy for uniting the country by appeasing Southern passions.

Notice to the G.O.P.

And, true to the Southern strategy that only last month Mr. Nixon jocularly attributed to Vice President Agnew at the Gridiron Dinner here, it was with Mr. Mitchell that the President then decided that if he could not have his Southern nominees he would take his Southern issue.

The President's party is now on notice to rally Southern vote with the argument that only Mr. Nixon can avenge the prejudices of the rest of the country, the object being Mr. Wallace's defeat, the absorption of his supporters and the election of at least some additional Republicans to Congress next November.

Mr. Nixon could go even further, and run clear across the country with the argument that his battle for slower racial integration and against crime is being thwarted by a Court that the Democratic Congress refused to let him alter in time.

Observers are guessing that he will squeeze what political profit and psychological satisfaction he can from the Senate's challenge, but that he will probably resume the loftier stance of conciliation that he worked so hard to attain during his last campaign and first 15 months in office.