



Associated Press

SHOWN IN COURT BY MANSON: Headline on remarks by President Nixon that Charles M. Manson held up yesterday during his trial with others in Sharon Tate murder case.

Impulsive Nixon Action

AUG 5 1970

Handling of Manson Remark Shows A Defensive White House Strategy

By ROBERT B. SEMPLE JR.

Special to The New York Times

WASHINGTON, Aug. 4 — President Nixon's comment on Charles Manson yesterday has given the White House the jitters, aroused the legal fraternity, and has Manson's lawyers demanding a mistrial. But what fascinates observers here is what the episode tells about Mr. Nixon's mood and behavior, and the light it sheds on the institution of the Presidency itself. What it seems to say about Mr. Nixon is that, like most mortals, he is capable of indiscretions, even large ones, in moments of heat.

News Analysis

The newsmen who sat thunderstruck when he called Manson "guilty, directly or indirectly, of eight murders without reason" are disposed to accept his later statement that he did not intend to prejudge the case. But they also agree that the remark was an impulsive gesture from a man so emotionally caught up in his subject that he did not grasp the implications of what he was saying.

As for the institution of the Presidency, meanwhile, the episode lends strength to the observation of George Reedy, a former Presidential press secretary, that the White House apparatus has become an increasingly protective mechanism. Forced to deal with obvious Presidential error, Mr.

Reedy argues, it is reluctant and sometimes fatally slow to confront it squarely.

Defensive Strategy

This defensive strategy was illustrated yesterday when, a few minutes after Mr. Nixon made his remarks about Manson, his press secretary, Ronald L. Ziegler, issued a clarification. But then four hours elapsed before the President made a formal retraction, by which time the controversy had reached major proportions.

Among the ironies of Mr. Nixon's statement about Manson is that it came during an otherwise stout defense of the very judicial system that guarantees men like Manson a fair trial. A careful reading of the full text reveals that the President said more than once that attacks on the judicial system hurt the guilty as much as the innocent.

The passion with which Mr. Nixon defended the judicial process apparently had been building up all weekend as he watched the news and read the papers at the Western White House in San Clemente, Calif.

He had been bothered, first of all, by the extraordinary amount of space devoted to the Manson trial by West Coast newspapers. Then, too, he had watched a John Wayne movie Saturday night with his daughter, Tricia, and had been forcefully struck by the con-

trast between the simple code of Western justice in which the bad guys lose and present-day courtroom scenes that, he said, tended to glorify the culprits and turn the judges into "villains."

As Mr. Nixon recounted all

this, his face darkened, his eyes flashed, his voice grew more intense with each anecdote. Some observers recalled his demeanor during his two-minute denunciation of the Senate last spring after the rejection of Judge G. Harrold Carswell's nomination for the Supreme Court.

Then he dropped his accusation of Manson. If he realized its implications, he did not betray concern, plunging on ahead to criticize Manson's attorneys. Attorney General John N. Mitchell, standing to his right, also registered no emotion.

Newsmen then rushed out to file dispatches, and there is some evidence that the speed with which they left the briefing room, nearly bowling over the President in the process, first served to tip off the White House press staff that something was amiss. In any case, Mr. Ziegler emerged from a huddle with his staff 15 minutes later and summoned newsmen back into the room for a "clarification."

Without Repudiation

In retrospect, what seemed to be needed to wrench the incident back into focus, or at least take the edge off it, was a flat retraction, perhaps by the President himself. However, the staff decided that this would only exaggerate the original error, and thus Mr. Ziegler was obliged to "put the remark in context" without, however, any authority explicitly to repudiate his boss.

That Mr. Ziegler's brave efforts were deemed by the White House itself to require reinforcement seemed clear when newsmen arrived at Andrews Air Force base four hours later and were handed a formal statement from Mr. Nixon himself. The statement amounted to a retraction, although again there was a defensive ring to it. It began by implying that the press had "misunderstood" the President despite "the unequivocal statement made at the time by my press secretary."

But the irony is that a quick concession of error yesterday might have prevented much trouble for all, including the President. Indeed, it might have saved the White House from what is surely the biggest irony of all—the fact that the judge at the Manson trial faced a petition for a mistrial because of the intervention of the country's foremost champion of law and order.