



What's Happening To Kleindienst?

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There are some matters left hanging strangely in the air by President Nixon's statement on the Watergate case and its context of espionage and sabotage directed against the Democrats.

The observer is quickly struck by the fact that Mr. Nixon, in reviewing the issue, did so with an assistant attorney general, not with Attorney General Richard Kleindienst.

In questions of magnitude and Watergate certainly fits that description it is customary for presidents to rely for counsel and assistance on the federal law enforcement officer of highest status, and that means the attorney general himself.

By disclosing specifically that he had not done so in this critical instance, Mr. Nixon has in effect delivered a public rebuke to Kleindienst.

Only days ago Kleindienst stunned many U.S. lawmakers and some constitutional specialists by offering the Senate what they felt was an extravagant overstatement of the President's power to resist congressional inquiry into almost any part of the executive branch he deems to be privileged territory.

The President himself seems not to have appreciated this lavish support. Rumors still float here that Kleindienst is not long for this administration. I was advised by careful sources last fall that he would ultimately leave, though not while the heat was on him, as it then was, for his somewhat cloudy relationship toward the FBI's inquiry into Watergate.

A second thing to note immediately is that Mr. Nixon's move to explore the whole Watergate and sabotage affair, and his announcement that it produced major developments, constitutes a vote of no confidence in the prior White House inquiry headed by the President's in-house legal counsel, John Dean.

Mr. Nixon appears quite content to let the public conclude the only thing it can conclude, which is that if Dean had performed his assigned duty thoroughly it should not have been necessary for the President to superimpose his own investigation, nor should he have been able to turn up major findings not previously unearthed.

While he left the distinct impression that he had acquired disturbing evidence which might well lead to indictments of people associated with him, he named no one. This has a surface air of fairness, a sense of "let justice take its course" through proper judicial channels, but in fact it tends to spread the blanket of suspicion broadly across his entourage.

It is plainly comforting to many in the troubled Republican party that the President has worked out an arrangement to let his summoned aides testify before the Senate, and has said he will suspend anyone hereafter indicted for wrongdoing in these matters.

Yet some of the offenses may not be indictable but simply unethical. Moreover, a strong lesson from President Warren Harding's scandal-plagued regime is not being grasped. Harding suffered heavily in history from not publicly, specifically disassociating himself in advance of official inquiry from men linked to him whom he positively knew, or accurately surmised, were guilty of wrongdoing.

Finally, Mr. Nixon's important statement is puzzling in its belated timing. It leaves both the experts and the general public wondering why it took a man with a reputation for political astuteness so long to perceive the dangers of Watergate for the future of his party and for his own ultimate status at the bar of history.

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