

More About the Ervin Hearings

LAST WEEK Vice President Agnew deplored the Senate committee investigation of the Watergate affair. But he was only joining a chorus which was large enough to lift the Ervin committee's conduct in the present hearings to the level of a national controversy.

Here, the Senate hearings were upheld a few days before Mr. Agnew took it up. The column elicited considerable protest from those holding that the hearings were undermining the normal prosecution of those who may be criminally implicated in Watergate. It was argued that the administration of justice in the courts is the cornerstone of our self-governing system.



This is true so far as it may go, but court procedure against malefactors is not the sole cornerstone of our system. The Founding Fathers in their debates in the Constitutional Convention understood this, as revealed in the Federalist Papers.

★ ★ ★

THE SHORTCOMING of criminal prosecution per se is that it cannot reach all areas of conduct which may pervert our system. It can't reach levels of reprehensible conduct which may be non-criminal, but which nevertheless threaten the national integrity.

The congressional investigative power can conceivably do this, provided the congressmen designated for the task are conscientious, courageous and competent. True, this is an unknown element, a gamble which the people must take in all phases of governance.

★ ★ ★

IT IS SUBMITTED HERE the overriding danger of Watergate is that it impaired the integrity of the United States. It is further submitted that the primary keeper of that integrity under our political system and tradition is the President of the United States.

Now, no evidence whatever has emerged from the Watergate furor that President Nixon's handling of the case was reprehensible, let alone impeachable. Those tempted by partisanship or other prejudice to judge, would be wise to await evidence. Mr. Nixon's own judgment in his crisis may have been faulty, or swayed by personal loyalties, but this is human frailty, not of necessity and in all circumstances, wrongdoing.

In this column it is a belief the Watergate smirch will not be atoned by court conviction of a few of Mr. Nixon's aides, if they be guilty. All the people know instinctively the core of the Watergate moral puzzle is the Presidential office, and not the jobs or functions of a handful of men the people never heard of until a few weeks ago.

The indispensable need is that Watergate must be atoned, and the Senate hearings, with all their "circus" atmosphere, are the only visible instrument for the painful undertaking.

June 15, 1973