

Without Shame

"Crime is contagious."

—Mr. Justice Brandeis.

By Anthony Lewis

LONDON, July 29—Looking at Washington from a distance in these days of serial horror, one is struck by a generality even more devastating than the particular disclosers of crime and arrogance. It is the failure of the men who committed these acts to show the slightest consciousness of wrongdoing.

Consider some of the things we have learned in recent weeks—matters not subject to factual dispute:

- The President of the United States taped every sound in his office for years, betraying others' expectation of confidence and denying himself the dignity of privacy.

- At the direction of the President, his chief domestic aide offered high Federal office to a judge then presiding in a controversial criminal trial of great political interest to the President.

- White House agents broke into a psychiatrist's office to steal the records of a patient who was being prosecuted in that trial, after the F.B.I. had requested the records in a lawful manner and the doctor had refused them.

- American planes bombed Cambodia for 14 months without the knowledge of the public, of Congress, of the civilian head of the Air Force or of its Vice Chief of Staff.

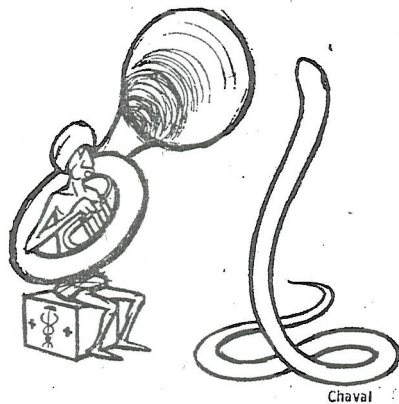
- American soldiers led combat patrols in Laos in violation of a specific legal prohibition voted by Congress and signed by the President.

No apology has been voiced for any one of those acts. Far from it. They have been defended at the highest level as necessary, authorized, constitutional and proper.

The unrepentant attitude has been on public display in the face and words of John Ehrlichman. In essence his position has been that anything is within the power of the White House if it declares a national security interest. When a Senator asked whether murder was permissible along with burglary, the former Presidential adviser replied that he did not want to draw the line.

Such obliviousness to the reality of wrongdoing raises disturbing questions.

Do these men have personality de-



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facts that make them literally unable to distinguish between right and wrong? Do they reflect some terrible new flaw in American society, in our family life and education? Or may the world military role of the United States, and the power concentrated in the White House, inevitably produce a tendency to hubris?

There can be no definitive answer to such mysteries. But Americans must be concerned with their society's attitude toward the corruption of power now that it has been so dramatically exposed. And here there are some worrying signs of cynicism.

Too many Americans, including visitors to Europe, dismiss Watergate as the sort of thing "all politicians do." They do not, and it would be death in a democracy to assume that they did. Then there is the reported inclination of leading Democrats to keep Richard Nixon in office until 1976, so it will be easier to beat any Republican then. Merely to state that proposition is to know how unworthy a response it is to a crisis of confidence in Government.

Another troubling idea in the air is that we must get back to Government business as usual. Both Time and Newsweek last week conveyed, with a ring of Establishment approval, a call by Henry Kissinger for a sort of Watergate cease-fire to let the Nixon foreign policy go forward. "We could come together on the fundamentals," he was reported as saying.

The fundamental that Mr. Kissinger has never understood is respect for the institutions of democracy. The foreign policy of which he has been a principal author has operated too often with open contempt for Congress and law. And for truth: after 14 months of secret bombing in Cambodia, President Nixon announced his 1970 invasion in a speech saying that for five years we had not moved against enemy sanctuaries there "because we did not wish to violate the territory of a neutral nation."

When Justice Brandeis said "Crime is contagious," he was warning against official crimes, done in the name of national interest. Recent events have shown how wise he was. Men who wage war in secret find it easy to tap telephones, and justify burglaries, and treat their own wishes as superior to the law approved by Congress.

All governments do some nasty things, in foreign affairs especially. But when those things come to light, a decent Government treats them as aberrations or disowns them. It does not embrace lawlessness as policy.

What the United States needs now is a cleansing awareness of wrongdoing, not pieties about carrying on the business of Government. The only thing worse than Watergate would be cynical acceptance of its values.