J. J. Kilpatrick SFChronicle Nixon's Critics And the 'Moral Issue'

Washington

PATRIOTISM, said Dr. Johnson, is the last refuge of a scoundrel, and "morality," by the same token, may be the last refuge of those seeking the removal of Mr. Nixon. There is something fishy about this latest outcry. Let me walk around it, sniffing.

To avoid misunderstanding: I have several times expressed the dismay, disappointment, and revulsion of



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many conservatives at the devious attitudes disclosed by the presidential transcripts. The President's own threat to "fix" Edward Bennett Williams, and to create "damnable, damnable problems" for the Post - Newsweek television stations, bespeaks an atmosphere in which a John Dean could retire confidently to his office, licking a pencil, there to prepare his enemies lists. Enough said.

But it is one thing to express regret, disillusion, and even contempt, and it is quite another thing to

argue that Mr. Nixon should be removed from his office for want of "moral leadership." We do not elect a president to serve as our moral leader. We elect a president to execute the laws, to make treaties, to nominate judges of the Supreme Court, and to serve as commander-in-chief.

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THE RECENT outcries about "moral leadership" have a faint air of desperation: All else having failed, let us try morality. Under the most rudimentary rules of due process, it now seems plain that Mr. Nixon has committed no criminal offense.

He did not connive in the Watergate bugging; he lid not participate in the cover - up; he did not suborn perjury or obstruct justice or involve himself in misprision of felony. He did not take bribes from ITT or the milk producers. He committed no criminal fraud in the matter of his income taxes, and he took no graft at San Clemente.

If an impeachable offense is to be equated with a criminal offense, or even with a "serious offense tgainst the state," the evidence thus far adduced falls short of the rule of reasonable doubt.

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B UT "MORALITY" has a nice ring to it. Coming from members of the Congress, it has a nice hypocritical ring to it. There are many representatives and senators, of course, who are models of impeccable integrity. There are others who make up the biggest bunch of nickelgrafters in town.

Periodically some enterprising reporter compiles a list of the perquisites that congressmen have voted themselves, ranging all the way from lush pensions, free medical care and franking privileges, down to cheap haircuts and reserved parking at the airport. Some of these high - toned fellows are now intent upon voting themselves life tenure in the name of election reform.

Many of them have accepted campaign contributions, whether from business or labor, that bear an aroma — a sort of eau de garbage dump — not to be readily distinguished from the smell that emanated from the Committee for Re - election of the President.

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Some of the lugubrious remonstrances from the private sector have little more to commend them. We are hearing from political parsons more concerned with defending the terrorists of Angola than with serving their own flocks. We are hearing from great newspapers whose demonstrated concept of morality is to traffic in stolen goods.

It is a great dividend, of course, when the country is led by a president who inspires respect, affection, and love. Washington in his first term, Lincoln in the war years,, Franklin Roosevelt in the Depression, Eisenhower in the postwar exhaustion — one thinks of these, and perhaps there have been others. Yet it seems to me a mistake to demand of a president that he serve as a national symbol, like a British monarch, or that he become a spiritual leader, the One Great Scoutmaster of us all.

I am as concerned as any man about the amorality of Mr. Nixon. Again, I deplore it. But I would trade ten thousand expletives deleted for one Lewis Powell on the U.S. Supreme Court. If it is moral leadership the President's critics want, let them first seek to provide it themselves, by the high example of their own lives.

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