

In Defense of Leaks

By James Reston

WASHINGTON

WASHINGTON, June 20—Ever since Adam—or was it Eve?—leaked the news about that tempting apple and other funny business in the Garden of Eden, the human race has been arguing about the wisdom of leaking forbidden news. The latest chapter in this long story is now unfolding here.

Senator Barry Goldwater wants the Attorney General to prosecute The Washington Post for leaking confidential F.B.I. documents. Pat Buchanan and Ken Clawson of the White House staff, two of the leakiest taps in town, want staff members of the House Judiciary Committee to be punished for leaking anti-Nixon information out of the impeachment proceedings. A dreadful underhand practice, they say, and a lot of people agree with them. It should be noted, however, that nobody proposes the abolition of all leaks—only the leaks they don't like. It all depends on whose basement is flooded. And this brings us to the theme of this epistle, which is that the leak is the safety valve of democracy.

It leaves room for honest dissenters. It is the refuge of conscience. It can be used for good or evil: to disclose the murders of Mylai, the secret bombing of Cambodia, the cover-up of Watergate. Or it can be used to disrupt elections, to vilify and destroy the political opposition. It is a powerful, ambitious, and sometimes dangerous instrument, but it should not be destroyed without a little thought.

For example, the President deplures the leak when it is used against him, but it is one of the most effective tools in his own political arsenal and he couldn't get on without it. He is constantly running into situations at home and abroad where he wants the truth out but doesn't want to make things worse by issuing an official statement confronting his adversaries. So he leaks it through Mr. Buchanan or Mr. Clawson, or through some embassy abroad to some sympathetic or ambitious reporter. The White House has its "friends list" as well as its "enemies list."

And there is nothing new or wicked in this. In the latest crisis between Washington and Moscow during the Middle East war, when the information here was that the Soviets were about to send seven airborne divisions into the Middle East, the President could either have sent an ultimatum to Moscow to pull back, or quietly ordered a worldwide alert of American forces and "allowed" the fact to be leaked to the press. He wisely chose the latter method and got his message across to the Kremlin without a direct challenge.

When Washington and Paris get into an awkward argument over policy and consultation, Secretary of State Kissinger can either call a press conference and denounce the French, or both sides can "inspire" articles that make their points clear, and still leave room for maneuver.

As a matter of fact, anybody who

has studied or practiced the art of leaking knows that government officials use the leak more than it is used against them, and in most cases reporters are their allies rather than their adversaries. For in many instances, governments are using the leaks to get the embarrassing truth out rather than to keep it in.

The conflict comes when governments try to have it both ways—to use the leak to their own advantage and to suppress and condemn it when it discloses truth they don't like. Or to leak "news," or worse, to invent "news" to destroy their political opponents. See the evidence in the White House Watergate transcripts.

This leaking is a complicated business. The Communists are the best anti-leak plumbers. "Why should freedom of speech and freedom of press be allowed?" Nikolai Lenin asked in Moscow in 1920. "Why should a government which is doing what it thinks is right allow itself to be criticized? It would not allow opposition by lethal weapons. Ideals are much more fatal than guns. Why should any man be allowed to buy a printing press and disseminate pernicious opinions calculated to embarrass the government?"

The answer to this in America, at least, should be obvious, but it is surprising how many people who think they love democracy and hate Lenin, seem to agree with this notion that opposition to the ruling authority of the state, is somehow subversive and unpatriotic.

Even the Soviet plumbers cannot stop the leaks, cannot silence Solzhenitsyn, Sakharov, Pasternak or even Stalin's daughter Svetlana, for the spirit of freedom is eternal, and even in that closed society, truth leaks out.

Obviously, there are times when security information and grand jury information should not be published—and the press has not yet analyzed the difference between being bold and being irresponsible—but it is not the power of the press but the power of the state that is really out of hand.

"It would be in the national interest," Barry Goldwater said, "to immediately institute criminal prosecutions against The Washington Post" for publishing confidential Government documents. But would it really?

For if nobody had talked against the Government's policies and actions in the last few years, we would not have heard about the horrors in Vietnam, the secret bombings of Cambodia, the espionage and sabotage of the 1972 Presidential campaign, and all the lies and fiddling of the President's men.

Always somebody had to talk out in opposition or in conscience, and leak to the press, usually against Government orders. It is an untidy process, often subject to misuse, but it shouldn't be knocked or destroyed without a little care. The President needs it as well as the opposition.