

Letters to the Editor

To Hobble the Presidency

To the Editor:

William Shannon's column "Reshaping the Presidency" suffers from a common fallacy. He asserts that the Presidency is excessively powerful and that the cure to this lies in further checking the President's power to act. It seems more plausible that the Presidency is strong enough to do damage but is already too weak to do good. Further weakening the office is a poor cure for the wrong illness.

The real problem lies with Congress. The Presidency is part of a system of government which assumes three equal branches. Congress has become the least able of the three to fulfill the wide range of its constitutional functions. This development is due to several factors. Presidential leadership of the national political parties is one. Another is the foreign policy role of the President, which will remain paramount. A third is the increased complexity of a continental nation which has been matched by a growth in the executive branch. Yet Congress has failed to equip or organize itself adequately to deal with the complexity of contemporary problems. Congress and its committees remain understaffed. Even its recently amended budget-making procedures remain inadequate. Its fragmented committee structure

legislates slowly and has little capacity for oversight. Virtually all legislation is drafted in the Executive and Congress remains captive of an agenda established by the President and his advisers. Finally, though the list could continue, bi-annual election of Representatives means that re-election is often a higher priority than legislating.

Mr. Shannon and others who propose to hobble the Presidency suggest unwise actions. Government already acts hesitantly. Further slowing the glacial process of executive decision-making is dangerous in times of rapid changes. Such proposals flow from the fallacy that power is constant rather than expandable, but since so much is left undone in government, strengthening Congressional ability to function need not occur at the expense of the other branches. The proposal would simply add another layer of red-tape to an already overburdened structure. Moreover, is it sensible to think that another President would clear a future Watergate through a council of elders? Thus, the proposal is aimed at a malady that it will not cure, threatens the Presidency and avoids the critical task of revitalizing Congress.

WALTER MCCANN
Cambridge, Mass., Aug. 14, 1974

For General Amnesty

To the Editor:

Even after the resignation of one President and the inauguration of another, we still hesitate to let go the mess. We fear we are not strong enough to accept betrayal and go forward. While the Constitution lives and the impeachment process worked, we still wonder whether the ordinary criminal law ought not continue on course for the months and years ahead. The reason for this, of course, is clear: fairness and equal justice to the least as to the greatest offenders. That is also a security blanket to which we cling. We fear to be free from the past until all is paid and in order.

That way, we doom ourselves to wandering in the mists trying still to sort out the past. Who needs that to go on, in the name of an abstract justice?

There is one way and one way alone by which we can cut through the weights and ropes that trammel our future action as a people. The Vietnam self-exiles doubtless broke laws, but theirs were political acts. Men in the White House and their underlings doubtless broke laws, but theirs, too, were mainly political actions. Both have been "punished" enough, in the sense of the reaction of political community (not the law) against them.

Let us therefore act politically to stop it in both cases. Not for their sakes but for ours as a nation. This is no time for adherence to the principle, let justice prevail though the heavens fall. A sense of Congress resolution should be passed asking general amnesty for all those politically motivated crimes committed in the immediate, divisive past of this nation. No more Watergate trials. Pardon for those already convicted. No attempts to determine relative guilt or innocence of Vietnam protestors, or to find alternative service worthy of their return to full citizenship. Otherwise we will grope toward the future, half slave to the past, half free. No nation can so exist, as Lincoln said.

PAUL RAMSEY
Princeton, N. J., Aug. 14, 1974



Tax Interest Charges To Cool Demand

To the Editor:

It is heartening to learn from polls that more of the public ascribe inflation to the Government than to any other factor.

Since years of deficit financing laid a firm foundation for inflation it is futile to expect that any action can halt it quickly. But now even Congress seems at least dimly aware that deficit financing when the economy is close to full production simply produces dishonest dollars which bring about scarcities, higher prices, or both.

To offset this purchasing power which is unrelated to production various plans are proposed. You published a letter recently entitled "A Case for Forced Savings." This plan would surely have a dampening effect on inflation but it has no automatic starting or stopping date (to place it outside of politics) nor any variation of rate based on degree of need. And, of course, being compulsory, it would apply alike to those who could and could not afford this bite in their purchasing power.

I suggest a 50 per cent Federal tax on all interest charges on installment purchases when the rate is over 10 per cent. When money conditions are tight this should cool off the demand

for credit by purchasers and leave more in the barrel for producers. Note that installment credit now outstanding totals over \$180 billion, its growth having been a violent spur to inflation.

ROGER C. WALCOTT
Rye, N.Y., Aug. 12, 1974

District Attorney's Role

To the Editor:

Robert Patterson, Jr. has pieced together a misleading version of Controller Goldin's charges with respect to the "missing" \$5.4 million and has unjustifiably suggested that District Attorney Richard H. Kuh's investigative role in the matter was political (letters, Aug. 14).

The fact is that Mr. Kuh—acting with the commendable drive he has shown in the prosecutor's office—moved rapidly on the Goldin charges and in short order soundly demonstrated that the Controller had been precipitous in suggesting that the money was "missing." That demonstration exonerated the Mayor of the seeming wrongdoing that the Goldin charges had suggested. Mr. Kuh's prompt investigation and determination were a high performance of duty. It is wrong to label as "political" the independent actions of a prosecutor who rightly recognizes that his job is to clear the innocent as well as to convict the guilty, even when an innocent happens to be the city's Mayor.

Mr. Patterson is a fine lawyer and public-spirited citizen, but he is also a former partner and close friend of Robert Morgenthau and his active supporter in Mr. Morgenthau's campaign for the office Kuh so ably occupies. In this instance it is Mr. Patterson's letter that comes under the heading of "political."

DAVID W. PECK
New York, Aug. 16, 1974

A Trial for Mr. Nixon

To the Editor:

There apparently is some slight controversy as to whether or not Richard Milhous Nixon ought to be punished for the crimes he committed as the President of the United States.

I have just completed reading the autobiography of Supreme Court Justice William O. Douglas, entitled "Go East Young Man." Justice Douglas in his book quotes a former Supreme Court Justice, Louis Brandeis, in the Olmstead Case of 1928, as follows:

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent, our teacher. For good or for ill, it teaches the people by example."

Justice Douglas then goes on to make the following statement:

"Every official in every branch of government is responsible to the law and to the constitution. The higher he is, the more important it is that he represent the finest of our constitutional traditions."

Richard Milhous Nixon should be tried for every violation of the law if law and order with justice is to have any meaning in our country.

EMIL MAZEY
Secretary-Treasurer, U.A.W.
Detroit, Aug. 12, 1974

A Nixon Comeback

To the Editor:

Like Senator Hugh Scott, I have no taste for extracting that last ounce of blood. Nonetheless it seems essential that legal steps must be taken, as in the case of Spiro Agnew, to prevent Richard Nixon from ever again holding public office.

Unlikely as it may appear at this moment, it is not impossible that the United States may yet witness a Richard Nixon renaissance.

Given his remaining constituency, the passage of a few years and, indeed, the implication contained in his own statement upon his arrival in San Clemente, it is not improbable that the former President may once again present himself for the role of Congressman or even Senator from the state of California.

Phoenixes have arisen before. There is evidence that Mr. Nixon does not even understand why his wings have been clipped.

SYLVIA WALLACE
Los Angeles, Aug. 13, 1974

'Faulty Equation'

To the Editor:

Suddenly a lot of good people are equating amnesty for Nixon with amnesty for draft resisters and deserters.

This is a faulty equation and an insult to the resisters and deserters. They are in trouble because they saw the war in Vietnam as morally insupportable and refused to take part in it. Our national judgment now corroborates this view.

The proper equation is that between amnesty for Nixon and amnesty for all the burglars, embezzlers, conspirators, tax-evaders, and perjurers now in Federal prisons across the land. If his crimes are to be forgotten or forgiven, why not theirs?

CAROL BERNSTEIN FERRY
Scarsdale, N.Y., Aug. 12, 1974

Press: Hero or Villain?

To the Editor:

Franklin Smith's diatribe against the investigative press, (Op-Ed Aug. 13), represents the ultimate in reactionary self-deception. Former President Nixon quite obviously fell from his seat of power because of his own wrong-doing, not because of a sinful news media. It was the truth produced in endless judiciary and congressional investigations, and finally his own disclosures that incriminated and brought down Mr. Nixon. Can Mr. Smith truly believe that it was the "horrible perversion" of freedom extended to the press that created the national debacle, or that it was rather the horrible perversion of Presidential power that gave rise to it?

If investigative reporting is not the function of the free press, whom are we to appoint to this task? Would Mr. Smith next suggest that we accept a government-controlled press as the paradigm of objective reporting?

SARA STEINMETZ
Brooklyn, Aug. 13, 1974

To the Editor:

I have read Franklin B. Smith's Op-Ed article of Aug. 13 with complete amazement. He bitterly condemns the press, but the nature of the offense is hard to identify. He does not accuse the press of falsehood, suppression, distortion, or even inaccuracy. He accuses them basically of gathering the news and printing it—on the front page, no less!

Apparently the gravamen of the offense was simply printing the facts about the President and Vice President—evidently, *lèse majesté*. Mr. Smith has failed to suggest any legal, journalistic, philosophical ethical source, however, for this heinous journalistic crime.

JOHN S. HOGG
Syracuse, N. Y., Aug. 14, 1974

Authorization on Tapes

To the Editor:

The White House ruling that the Nixon tapes are personal property is surprising to say the least. There seems to be no doubt of the fact that the conversations recorded thereon were taped surreptitiously without the consent or even knowledge of all the participants. If the White House is even considering the release of these tapes to private custody, it would seem to be only fair that it should at least first obtain the authorization of those whose conversations were recorded and that it destroy all tapes for which a release cannot be obtained in this manner. GEORGE M. RAYMOND
Briarcliff Manor, N. Y., Aug. 15, 1974

The Times welcomes letters from readers. Letters for publication must include the writer's name, address and telephone number. Because of the large volume of mail received, we regret that we are unable to acknowledge or to return unpublished letters.



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