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On Disbarring Nixon

To the Editor:

I read with great interest the editorial "Disbarring Mr. Nixon?" in *The Times* of Sept. 20. *The Times* (and apparently the City Bar Association) seems to overlook a fundamental legal point: Disbarment is not intended to punish the peccant lawyer but to protect the public—i.e., potential clients—and the courts. I think it probable that Mr. Nixon is guilty of unethical and criminal conduct, which demonstrates his unfitness to practice law. But he does not intend to practice law and desires, in fact, to resign from the bar. The public needs no protection from him.

Some months ago, Alger Hiss was readmitted to the bar of Massachusetts. It was objected by some people that he should not have been readmitted unless he acknowledged his guilt of the crime of which he had been convicted. I did not agree with the objection, although my own knowledge of the record in the Hiss case leads me to the conclusion that he was in fact guilty. Mr. Hiss' conduct since his trial shows that his readmission to practice would not present any danger to the public. To continue to exclude him from the bar would have served no purpose except punishment. So far as I know, *The Times* expressed no objection to his readmission and appeared to endorse it. On the other hand, *The Times* believes that Mr. Nixon should not be allowed to resign unless he makes "an honest recitation of charges that would, in effect, come close to an admission of guilt."

The next editorial, "Patty Hearst: Case 74-364," very rightly points out that there should not be "one form of justice for the poor and another for the rich." It seems equally clear that there should not be one form of legal discipline for Mr. Nixon and another for Mr. Hiss.

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