

'The Stake Through Nixon's Heart'



LEON JAWORSKI

THE RIGHT AND THE POWER: The Prosecution of Watergate. By Leon Jaworski. Readers Digest-Gulf, 298 pp.; \$9.95.

Reviewed by
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LEON Jaworski's book about Watergate, "The Right and the Power," is the bill of particulars that should have been issued when Gerald Ford pardoned Richard Nixon on Sept. 8, 1974.

It is, for all the courtliness and gentility of its expression and attitude, the stake through the former president's heart. If Ford had published the charges that made Nixon eminently indictable, the pardon would not be haunting him today.

Already it is being said, notably by Rep. Elizabeth Holtzman, D-N.Y., that much of Jaworski's material properly should have been included in the final report of the Watergate Special Prosecution Force, a curiously noncommittal document, rather than in a commercial publication. That is at least an arguable point, but not likely to weigh heavily because Jaworski is donating all proceeds to charity.

WHAT IS beyond dispute is that Jaworski's meticulous presentation of the evidence showing that Nixon "could be held culpable, both as a principal (of the Watergate conspiracy) and on a theory of vicarious liability, for additional substantive offenses" crushes all claims that Nixon was "hounded" from office. It should stay the hand of the hermit of San Clemente as he pens his memoirs. It might even silence the voice of his most egregious defender, Rabbi Korff.

Jaworski, as the world knows, was not consulted about the pardon. He was merely informed. He agreed that if it were to be done, it would be better to be done quickly, and he makes an excellent case for the doing, far better than Gerald Ford's treacly "suffered enough" rationalizations, which only kin-

dled suspicions of a contract between outgoing and incoming presidents.

PERHAPS Jaworski should have insisted that the pardon be accompanied by a statement that Richard Nixon had done grave wrong to his office and his country. But he never went beyond his charter, which gave him a license to bring Watergate criminals to justice in court.

Nixon made many miscalculations in the two years of Watergate, but none more fatal than choosing Leon Jaworski, successful corporate lawyer from Houston, to succeed Archibald Cox. From a second-generation Polish-American friend of Lyndon Johnson and a former president of the American Bar Association, Nixon expected, obviously, an easier ride than from a Harvard professor.

But Nixon held always to the mean view that every man has his price, and when Jaworski had his first interview with Chief of Staff Alexander Haig, Nixon's blinkered, resourceful protector suavely hinted at a Supreme Court appointment. The kind of man that Jaworski is is perhaps best revealed in a sentence at the end of the book. He had been listening, he tells us, during all those hours of hearing tapes, for some "reference to the glory of God."

"Why," he asks with a naive fervor that would have caused some snickering in the desperate men he had been stalking, "was there not just a simple statement such as: 'May we hold our honor sacred?'"

Jaworski's book is grave and solemn, replete with quotations from legal memos and briefs; and perhaps because of its even, dispassionate tone it brings back those incredible days far more compellingly than more sensational accounts. It is the most powerful and consequential book about Watergate that has yet been written. It is the judgment that was never rendered against Richard Nixon in a court of law; and it is rendered by a man of the law whose probity cannot be questioned.

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