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'Evils Which Leave No Home in the World Untouched'

By Marcus G. Raskin and Robert Borosage

WASHINGTON—The assorted crimes and scandals collectively known as the Watergate affair feature the involvement of national security institutions —the C.I.A., the State Department, the National Security staff, the White House staff, the F.B.I., ex-C.I.A. operatives, duped Cuban refugee clients of the C.I.A. These institutions and the men in them have, under a screen of secrecy, been trained and become practiced in lawless behavior. For Watergate to be instructive to those who want to save the American society we need to understand the framework of our Government and the changes we now need in it.

World War II has been viewed by many as the root of American efforts to exert imperial control over much of the world. Such a reading discounts the positive aspects of American social thought and action. Another impulse in American statecraft at the end of World War II carried forward the populist, antimilitarist strain in American public life. War was still viewed as a crime and Government officials were suspect as potential usurpers. This sensibility fostered the support for a war crimes concept and the need to end militarism which, until the cold war began, greatly influenced public thought.

Imperialism was not to be the fundamental purpose of American statecraft, and standards were to be applied that would assure an anti-imperialist mode and noncriminal form of behavior for Government officials. This public sentiment was reflected in the international law espoused by the United States after the war. Aggressive war was condemned as criminal; leaders and bureaucrats were to be held to strict account for their actions. From 1945 to 1946, Americans urged that it was only through personal responsibility, through the enforcement of objective legal and political standards, that leaders could be held responsible and governments restrained.

Tragically, the impulse toward imperial policies proved far stronger. The governing structure of the United States was transformed. Through the National Security Act of 1947, the Truman Administration established the governing institutions for national security. The result was an erosion of Congressional power, the continuous military involvement of the United States in war and half war, the development of an élitist arrogance based upon classified information which enabled "classified" people to perform any act—legal or illegal—in the name of the state or leader.

The sort of "work" which the burglars did at Watergate and their superiors did at the White House were routine activities for national security institutions which developed a worldwide military and paramilitary system of threats with nuclear weapons, forgery, destruction of evidence, concealment, mass bombing, the euphemistic "dirty tricks," Phoenix programs and forcible removal of populations. The Watergate affair is the natural outgrowth of the structural transformation of the American Government which began after World War II.

We have given the President and the bureaucracies almost absolute license in national security affairs with precious few standards by which they are guided. A succession of Presidents have, as a result, directed and condoned a variety of lawless activities designed to serve their purposes. Men have been trained to murder, bribe, lie and sabotage in the national interest. High executive officials have learned to order lawless activity without compunction, to lie without shame. They have invented a system of paralaw, ersatz law that is based on command and higher authority as a way to rationalize criminal activity in the name of the state or the leader. The Watergate only demonstrates the obvious: such training not only warps the conduct of foreign affairs but our own democracy. If *raison d'état* can justify bribery and subversion to influence the outcome of the elections in Chile, Guatemala or South Vietnam, then it is hardly mysterious that a program of sabotage and wiretapping was similarly justified to re-elect President Nixon.

If "national interest" justifies public lies about American activities abroad, is it not obvious that the same habit of mind justifies destruction of evidence and deceit to protect the President over Watergate? If "national interest" dictates that the bombing of Cambodia be kept a secret from Congress and the public, then will it not justify wiretapping national security aides and assorted critics? And if secrecy is used to shield the truth about foreign policies, will not executive privilege be invoked to camouflage the truth about Watergate? If Government officials are praised for acting like thugs and thieves abroad, it is little wonder that they will come to apply their experience at home, and be praised as "trusted and loyal aides" for covering up a White House campaign of sabotage and subversion to insure re-election.

The Watergate defendants will face the judicial processes of the United States. But the same men or their institutional twins continue to act lawlessly abroad without fear of sanction or limit. Since 1971 some members of Congress have been talking about the development of a code of conduct grounded in law which insures that our leaders and bureaucrats will be held personally accountable for the legality of their acts both at home or abroad. Such accountability with legal sanctions would be premised upon the principles of international law and domestic law which distinguish government from criminal banditry. Assassination programs, Phoenix-type programs, torture, bribery of government leaders, planning and waging wars of aggression, covert or undeclared wars, forcible removal of populations, mass and terror bombing are crimes and must be seen as such. Entering into agreement with corporate and civic leadership for such purposes must now be forbidden. Otherwise the men and institutions which we use to terrorize others will continually terrorize us; the instruments with which we subvert governments abroad will continually threaten our own democracy.

As Justice Robert H. Jackson, the chief American prosecutor at Nuremberg said about war crimes: "The common sense of mankind demands that law shall not stop with the punishment of petty crimes by little people. It must also reach men who possess themselves of great power and make deliberate and concerted use of it to set in motion evils which leave no home in the world untouched."

Marcus G. Raskin, a member of the National Security Council in the Kennedy Administration, is co-director of the Institute for Policy Studies. Robert Borosage, an attorney, is visiting fellow at the institute.