

Publication court fight was Nixon's decision

WASHINGTON — Contrary to a widespread impression here fostered by White House aides that President Nixon went to court to prevent publication of the Pentagon papers at the insistence of Atty. Gen. John Mitchell, legal action actually was decided upon by the President alone prior to any recommendations from lieutenants.

Rowland Evans and Robert Novak

Moreover, Mr. Nixon decided to seek the anti-publication injunctions in full realization that this probably would, temporarily at least, reduce the political advantages coming his way as a result of the revelations of the Johnson administration's preparation for the Vietnam war.

The account put out by some Presidential aides, attempting to protect Mr. Nixon, was that he was merely following Mitchell's legal advice in asking the Federal courts to prohibit The New York Times (and later other newspapers) from printing the secret reports. In truth, the President had immediately decided that such a legal move was necessary to protect the right of the government to keep security information secret even though the case undoubtedly would be lost.

Besides, Mr. Nixon, himself a devotee of the conspiracy theory in politics, feared that Democrats would hint at a

conspiracy participated in by the White House to embarrass the Democrats if he did not try to suppress publication of the documents.

Nevertheless, in conversation with close associates, the President has made clear he still hopes that political dividends will be derived from the papers. From the beginning, he had planned to make a statement reaffirming his belief in freedom of the press once the Supreme Court finally ruled against the government's efforts to prevent publication. With the censorship issue so disposed of, the President calculates, he can enjoy the political luxury of letting nature take its course and Democrats suffer for the decisions of the Johnson administration.

But this tactic requires top Republicans to keep cool and quiet, letting the documents speak for themselves. Accordingly, Mitchell was aggravated when Sen. Robert Dole of Kansas, Republican

National Chairman, missed the signal from the White House and waded in with a brawler's statement attacking the Democrats for causing all the trouble in Vietnam.

A figure from the past has quietly emerged as Sen. Edmund Muskie's top man in the vital state of California: Beverly Hills lawyer Paul Ziffren, only semi-active in politics since being dumped as California's Democratic National Committeeman in 1960.

This has raised eyebrows among some Muskie supporters in California, who feel the senator needs a bright new face to run operations there rather than a re-tread. But Ziffren brings some important assets to the job: intelligence, political shrewdness and — perhaps most important — lack of sharp identification with the vicious factional feuds which have racked California Democrats over the past decade.

the small society

by Brickman



In contrast, the man put in charge of Muskie's fund-raising in California is a completely new face: Los Angeles businessman John Swettland, recently moved West from Detroit. His job will be to unlock the big California Democratic money now in virtual escrow for Sen. Hubert H. Humphrey.

The problem faced by Ziffren and Swettland is typified by San Francisco real estate millionaire Walter Shorestein. Although the Muskie camp has been cheered by a token contribution from Shorestein, he tells friends he will not actually back Muskie unless both Humphrey and Sen. Edward M. Kennedy are out of the Presidential race. Whatever Kennedy ends up doing, Humphreyites in California are spreading the word that Humphrey definitely will be a candidate in 1972.

President Nixon's political operatives who want to paint Rep. Paul (Pete) McCloskey of California, Mr. Nixon's prospective challenger in next year's primaries, as a onetime moderate Republican moving leftward at a frightful pace were given campaign ammunition recently by McCloskey himself.

He joined a Palo Alto, Cal., committee raising bond money for Leo Bazile, a black revolutionary leader charged with the severe beating of a 41-year-old woman hospital worker who had refused to honor a strike at Stanford University Hospital. Bazile, 26, a Stanford senior who worked as an intern in McCloskey's Congressional office two summers ago, is president of Stanford's black student union.