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THE ISSUE of White House assistant Peter Flanigan takes equal billing with the nomination of Richard Kleindienst in the latest political drama now unfolding in Washington. Indeed, many thoughtful observers contend that Kleindienst's nomination for attorney general is the lesser of the two, viewed from the perspective of constitutional significance.

The Senate Judiciary Committee demands that Flanigan testify in the ITT investigation. The Nixon Administration, following precedent set by Democratic and Republican Presidents, has invoked the principle of executive privilege and vetoed Flanigan's appearance.

If the doctrine of separation of powers is to continue to have meaning in our government, then Mr. Nixon is right in standing on principle and refusing to let Flanigan respond to a senatorial summons.

The role of Senators Ervin, Byrd, Long and others, heretofore staunch defenders of constitutional practice, in setting Flanigan's appearance as the price of confirming Kleindienst seems alien to their past practice and belief.

Kleindienst should be confirmed or rejected on his own merits without reference to a peripheral issue. It is wrong for the senators to inject the makings of a full-blown constitutional crisis into an affair that already has drifted too long in a sea of non-conclusions.