

Foreign Press Criticizes Nixon's Decision on Calley

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LONDON, April 5—In many countries friendly to the United States there has been a highly critical reaction to President Nixon's intervention in the Calley case.

Published comment has expressed shock at what is seen as an interference with the process of law. Some commentators have said that a more appropriate political response to the trial would have been to end the Vietnam war.

Those are the broad results of a check by New York Times correspondents. It covered a number of countries in Europe and Asia, including Australia, which has supported American policy in Vietnam and has troops there.

The Sunday Australian said in an editorial that Mr. Nixon's decision to release First Lieut. William L. Calley Jr. from prison "will be deeply regretted by all who care for the rule of law."

"What happens to Calley himself is of secondary importance," the paper continued.

'Pendant for Prejudging'

"What is of primary importance is the integrity of the American system of justice and the certainty that, whatever the emotional overtones surrounding the trial, it will not be

deflected by political expediency."

Mr. Nixon ordered Lieutenant Calley released pending review of his conviction for the murder of 22 civilians at Mylai.

Another Australian paper, The Newcastle Morning Herald, asked rhetorically whether it was honor that "prompted President Nixon's interference" or "popularism taking precedence over due process of law."

It said the President had "a disturbing penchant for prejudging cases" and had left himself open "to the suggestion that he dipped the first brush in the can of whitewash."

The Sydney Morning Herald carried a bitterly ironic letter from a reader, Robert J. Mayne, saying that Lieutenant Calley might have been "a little harsh in his judgment on the 22 Vietnamese civilians." Mr. Mayne continued:

"Might he not reconsider the severity of his sentence? While he is considering his verdict, the least he could do is let the people return to their hamlet and live in comfort."

A correspondent in Tokyo interviewed a woman who worked for an American lawyer in the war crimes trials after World War II. Mrs. Naoko Sun-tani said:

"Nixon's order freeing Calley strikes me as a trick. I don't see in it any sense of self-reflection over American actions in Vietnam. If he really

felt any sense of responsibility, he should have ordered an immediate armistice."

The Japanese press has taken the general line, the correspondent said, that higher commanders should be blamed for the Mylai massacre and that the whole American conduct of the war should be on trial.

A similar view was taken by France-Soir, the Paris newspaper. It said editorially:

"In the person of Calley it is American policy that the Fort Benning court recognized as guilty. In logic as in equity, it is up to the American Government to carry out the sentence, that is to say, to put an end to the war in the shortest possible time."

'No Legal Basis' Found

Many French commentators declared themselves shocked by what they termed President Nixon's violation of the independence of the judiciary. They referred to his announcement that he would personally make the final review of the judgment and sentence in the case.

France-Soir said: "The intervention of the head of state in a matter of this kind is without precedent. It has no legal basis whatsoever."

A Rome correspondent reported non-Communist opinion "overwhelmingly negative in its reactions" to the President's intervention. He added that even usually pro-American newspapers were saying that Mr. Nixon made a mistake.

German politicians and newspapers have been, understandably extremely cautious in their comment. But a correspondent said that the papers had been harsher in their news treatment of Mr. Nixon's action than of the verdict or sentence.

The Frankfurter Allgemeine, for example, wrote of the "extremely unusual move by

which the President has yielded to an emotional wave."

In Britain, the editorial comment that has appeared has been uniformly and strongly critical.

The Sunday Telegraph, a conservative paper, called the President's action a "cave-in" It added that "it amounts, in effect, to the triumph of mob rule."

The Times of London spoke of an "unprecedented interference in the course of law." It added:

"Because of the fundamental decency and humanity of the American people, a growing number of them, not necessarily the most vocal today, see no way out of the Calley dilemma except by a more rapid and complete withdrawal than President Nixon is yet prepared to contemplate."

A number of commentators around the world praised the United States for having held the Calley trial at all, and in public. But the Sunday Times of London commented:

"That the Calley trial took place is a credit to the United States. But the President has now destroyed what good the trial has done."

The Calley trial had been extensively covered in the European press. The verdict and sentence caused little public comment because they had been generally expected.

In Paris and London most observers seemed to believe it was a just verdict. But the French public, familiar with wars in Indochina and Algeria, appeared less astounded that such atrocities could occur than did the British.

There was little public or press reaction in West Germany to the verdict, which was applauded in the Italian newspapers.