

GOVERNMENT AND LIBERTY

by Tom Wicker

Washington, May 3 - It was good, but not good enough, for President Nixon to assure us from San Clemente that "this isn't a police state and it isn't going to become one." It was good to be reassured that these are Mr. Nixon's beliefs, but it is not good enough that he asserts them without doing anything to stop those actions of the Nixon Administration that called them into question. It is the Nixon Administration - unlike any before it - that has claimed the unchecked right to tap the phones of persons it suspects as subversives, without any form of court authority and with no necessity ever to admit, or to inform its target of the eavesdropping, even if a trial should result. Mr. Nixon said such taps were "always approved by the Attorney General" - but the Attorney General does not have the power to grant a search warrant without court permission, nor to suspend other constitutional guarantees on his own motion. The point is that if Mr. Mitchell has sufficient reason to consider, say, Rennie Davis or the Black Panthers a threat to the Government, he would have sufficient evidence to get a wiretap order from a court; if he does not have sufficient reason - only his own suspicions - he has and should have no right to act on his own, without accountability to anyone. It is just such unchecked power that can lead to a "police state."

(Clipping filed Surveillance.)