

Good Old Reliable Nixon

By Anthony Lewis

BOSTON, March 14—With all the upsetting changes in life these days, we need something to count on—one thing that remains forever the same. And so it was with a feeling of gratitude that we opened the papers last week to read once more the thoughts of Richard Nixon.

He did not let us down. There was that reassuringly familiar mixture of treacle and venom, whining self-justification and insult, moralizing and lawlessness, Heepish deference and lofty condescension. Not since repertory melodrama has there been so reliable a stage villain.

Yes, it is good to have old Nixon around again. He provides us with a touchstone of political conduct. If we complain about the dreariness of this year's Presidential candidates, he helps us remember how much worse things could be. One creepy touch of Nixon in the night, and Scoop Jackson looks like King Harry at Harfleur.

Some people still mind about Nixon. They read his lecture to the Senate intelligence committee about "maintaining the delicate balance between freedom and security," and they suffer a seizure of the stomach. My own notion is that we can relax and let him babble. It cost nothing but the taxes he stole from us to live like a king, and anyway he promised to leave us San Clemente in his will. Just like he promised to pay the \$148,000 he owes on his 1969 income tax.

If I had to pick a favorite passage in last week's Nixon documents, it would be in his deposition for the wiretap lawsuit by Morton Halperin. He spoke of a study of the F.B.I. done at "Princeton, one of the smaller Ivy League colleges and a very good one, too, after Woodrow Wilson made it that way, even though he never attended." Making sure the world understands that he knows all about Princeton! Vintage Nixon.

Then there was his answer to the Senate committee's question about why he had suddenly withdrawn his approval of the Houston Plan for illegal entries, mail openings and surveillance of American citizens. John Mitchell told him, Nixon said, that J. Edgar Hoover thought such methods might "generate media criticism." Twice in the answer Nixon spoke of the risk of "disclosure." As always, he worried not about the legal or moral substance but about how it would look. Wonderful!

The Senate Committee also asked whether he thought "actions otherwise illegal may be legally undertaken" if a President deems them necessary to protect the national security. That is a

little like asking Typhoid Mary for advice on communicable diseases, but let it pass.

Nixon said it was "quite obvious" that certain actions that would be illegal "if undertaken by private persons" would be lawful if done in the interest of national security "by the sovereign." The Framers of the Constitution did not think they were making the Executive sovereign. Gouverneur Morris said of the President: "This magistrate is not the king . . . the people are the king." But Nixon, in perfect consistency with his record, spoke of the President as ruler.

Then he went on to cite such past examples of Presidential action in war as Lincoln's blockade of the South, Franklin Roosevelt's relocation of the nisei in World War II, Truman's seizure of the steel industry. But all those, wrong as they may have been, were actions taken in the open. They were therefore susceptible to the pressure of public opinion, correction by Congress and legal action.

The whole point of secret wiretaps, break-ins, assassination plots and the like is that they are covert acts, not

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subject to check by law or politics. Once officials believe they have the right to violate the law in secret, you are on the road to Watergate. And it is gloriously characteristic of Nixon to overlook, or rather obscure, that point.

The part where it became less easy to smile was when Nixon spoke enthusiastically about his and Henry Kissinger's policy of bombing Cambodia in secret. It "saved American lives," he said. Is it possible that anyone can still defend policies that destroyed Cambodia's society, killed a tenth of her people and led her to her present tyranny? Is there no limit to this creature's remorseless defense of his own wounded ego?

Of course there is no limit to the brazenness of Richard Nixon. We need not pay any attention to that. What we need to understand more deeply is not his character but our commitment to law.

When Gerald Ford pardoned Nixon, some usually sensible persons said that was a good idea because it would "put Nixon behind us." Lately those same persons have denounced Nixon for shamelessly thrusting himself back into public view. But they do not understand. The only way to have "put Nixon behind us" would have been to follow the law to the end: to show that we believed in law above power. We shall pay forever for compromising that principle in the shameless pardon of a shameless man.