

Web of Suspicion

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White House acknowledgment that the President ordered wiretaps on thirteen National Security Council aides and four newsmen—reportedly at the personal instigation of Henry A. Kissinger in some cases—offers further dismaying evidence of the degree to which individual liberties and the integrity of the executive branch itself have been compromised under the climate of self-righteousness, secrecy and suspicion in which the Nixon Administration has operated.

The Justice Department asserts that the taps were permissible under the Constitution and the Omnibus Crime Control and Safe Streets Act of 1968, which declares that nothing in the act "shall limit the constitutional power of the President to take such measures as he deems necessary to protect the Nation against actual or potential attack or other hostile acts of a foreign power, to obtain foreign intelligence information deemed essential to the security of the United States or to protect national security information against foreign intelligence activities."

Legal authorities differ over the powers ascribed to the President in the act, especially when invoked against American citizens. Last June the Supreme Court ruled illegal the Federal Government's use of wiretapping and electronic surveillance to monitor domestic radicals without first obtaining judicial warrants. The Court declared that "Fourth Amendment freedoms cannot properly be guaranteed if domestic surveillance may be conducted solely within the discretion of the executive branch."

Even if the Fourth Amendment safeguards do not apply to the Government aides and newsmen involved—which is difficult to believe—no evidence has been presented so far that would indicate that the leaks which prompted surveillance constituted a serious threat to national security. The wiretaps were first ordered in response to a report by William Beecher in this newspaper that American B-52 bombers had raided Communist supply dumps and base camps inside Cambodia, without protest from the Cambodian Government.

That was hardly news to the Communists, or to the Cambodians. It was information to which the American people were entitled, even if it may have caused some embarrassment in Phnom Penh—not enough, incidentally, to prevent the Cambodian Government from resuming relations with Washington the following month.

As has so often proved the case with this and previous Administrations, the secrecy that the White House sought to impose through highly dubious means seems to have been aimed more at preserving its own interests than the national interest. As one White House source has put it, "There wasn't one member of the staff who was disloyal to the country. But they were disloyal to Kissinger, and they were giving him problems."

There are certainly times when officials who cannot go along with official policy should quit or be fired. No organization can countenance the systematic disclosure of its confidences. But neither can it afford to become so obsessed with secrecy that it breaks faith with its own people, resorting to internal espionage in the absence of the most compelling danger to the national security.

The Administration has apparently become ensnared in the web of its own suspicions.