

The Common Purpose: Integrity

By Ramsey Clark

WASHINGTON—Watergate exposes a crisis in integrity. There is only one cure: integrity. We have seen contempt for the constitutional system and the rule of law. We will take the cure, now, or sink in degradation.

The shadows cast by the unending disclosures have stretched across the face of government: The Departments of Justice, State, Defense; the C.I.A., F.B.I., S.E.C.; the commandant of the Marine Corps; the White House; the President. We have seen evidence that men sworn to faithfully execute the laws have participated in their violation, sought to cover up their involvement, to buy their way out—and have brazenly denied any knowledge while their agents stood trial for aiding and abetting their crimes.

We must have the self-discipline and the strength of character to presume the innocence of all accused. Every allegation and fact should be viewed with skepticism and judgment reserved. The presumption of innocence is the way we show our belief in the importance of the individual.

We must pursue the truth relentlessly. Those pragmatists who tell us that Watergate is hurting the country, weakening our position to bargain with Mr. Brezhnev, distracting us from important affairs of state, would only further erode our integrity. An evasion of this integrity would be crippling at home and abroad. The way to show the world that the United States is strong, that we mean what we say about the rule of law assuring freedom, equality and justice, is to honestly address the Watergate tragedy.

Those who caution us not to speak of impeachment of the President, or the propriety of his resignation, fail to understand that nothing is unspeakable in a free society. We should hope people will speak responsibly, but those who believe in freedom will not seek to burden the right of expression by the weight of law, or public opinion.

In a democracy, the President is the first citizen, not the Monarch. He is accountable to the law equally with the poor, the feared and the despised. The Presidency is not above the law. An incumbent cannot significantly injure that office while the people insist upon its integrity. Real injury to the office can result only from a failure to so insist.

A word for compassion is always welcome. Compassion is no less worthy for those who have had every opportunity—wealth, fame, success, power—than for the peasant in Cambodia, the convict in Attica, the despised poor and the sick. But compassion does not blink at the truth. It acts humanely on the truth. Prison is no more meaningful for a former high government official than for a drug addict—it will neither protect society, nor cure ills—though imprisonment of people with power might lead to prison reform.

An independent special prosecutor with an untainted legal, investigative and support staff, should have been appointed long ago. Barriers to a full, swift investigation should be removed. The President should refuse to permit anyone to invoke executive privilege before the special prosecutor. All relevant files and materials possessed by the executive branch or the Congress should be turned over immediately.

Senator Ervin's Committee, other

Congressional inquiries, and any special commission created to deal with problems raised by Watergate, should recognize the constitutional priority of enforcing the law. It is important that the Congress refrain from interfering with effective enforcement, such as grants of immunity not approved by a special prosecutor, or calling witnesses before public hearings when the result is to frustrate or impede investigation and prosecution. The purposes of Congressional inquiry can be fulfilled without interfering with the enforcement of laws. The inquiry can be made later where present activity conflicts with the higher constitutional mandate.

The press—which has brought the decay of government integrity to light—must act with professional sensitivity to the rights of accused to a fair trial. It would be a sad ending indeed to this heroic epic of the free press if, in the last chapter, it is told they poisoned the well. A fair trial will not be possible if the public is prejudiced by the press and impartial juries cannot be chosen.

The common purpose of the Constitution, the Congress, the executive, the courts and the free press protected by the First Amendment is justice. We must all find the restraint and the commitment to insist on the integrity of the Constitution and the laws of the United States.

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