

# Keeping the Code of Omerta

*A Commentary*

*By Nicholas von Hoffman*

In the light of the Supreme Court's recent rulings on obscenity, it's surprising that the television networks dared to put John Mitchell on the air for three days running. "Taken as a whole," to use the language of the court decision, Mitchell obviously "lacks serious literary, artistic, political or scientific value," and, if the expressions on the faces and coming out of the mouths of the senators listening to him are any guide, he offends both local and national moral standards.

But there he was, Mr. Hard-Core himself, squat down on the witness chair in that room which has become America's Marble Hall of Perjury as Sam Dash, the committee's majority counsel, suggested in the broadest possible terms that the former Attorney General of the United States is a straight-out, unbelievable liar. Successive waves of cross-examination reduced his testimony to a nullity, but that didn't faze Mr. Hard-Core, and, after a bit, the seven senators learned to accept the idea he was going to tell them absolutely zilch.

If many of us in the television audience were hoping to see this man tongue-whipped and word-lashed, the senators seemed to be trying to pull from John Newton Toughnut a sign, not of repentance, but of recognition of what he'd done. Again and again, they would refer to him as the "former Attorney General of the United States," never just as an ex-Attorney General. They displayed an awe for his office just as these practical and so imperfect politicians have for their own. My God, man, they were telling him, we are the kindest and most understanding jury you'll come before in all the trials that await you, we understand, we've been there-too, we live with the same temptations, but don't you see what you've done?

Not John Hard-Core Toughnut. The only thing he gave them was "patently offensive representations or descriptions of ultimate political acts, normal and perverted, actual and simulated."

And if "in hindsight and retrospect" he regretted anything it was that he didn't shoot his juniors or throw them out the window, either for failure or for squealing on their higher ups. Among the WASP Westchester country club Mafia the code of omerta holds, too. Those young Ivy League punks, who bring their Marthas to the hearings and put them one row back to the left in the wife-seat to grab sympathy, they can sing any song they want.

In this syndicate, the old men are wicked and the young are weak. Another case of stainless steel nerves, another older syndicate soldier followed Toughnut to the stand. He was Richard Moore, a special counsel to the President and an engaging amnesia case in his own way. Sally Harmony, G. Gordon Liddy's secretary,

suffered from the same crippling disability when she was on the stand, but at least she didn't get cute about it. It takes a certain kind of disdain for the forum you're appearing in to say, as Moore did, he can't testify as to what Ehrlichman or Haldeman said because he can't tell them apart.

Even now disdain. A guy like Mr. Hard-Core doesn't make the effort to tell a story reasonable people might believe because he doesn't think it's worth the effort. Nobody's going to get him.

It's in this kind of conduct that we get the answer to the question so many people have been asking for months now. How could such smart men—and there have been nights when their smartness kept us awake—how could such smart men do such stupid things? The amateurism. The sloppiness. The negligence. There are \$30-a-day habits busting into places to steal black-and-white portable TV sets who show more finesse.

Yes, and you need finesse and know-how and caution if you think you might get caught, but these guys didn't. It was impossible so why take precautions if you have the big fix in? Is the Attorney General of the United States going to arrest himself?

So Mr. Hard-Core Toughnut can brass it out. He doesn't care what the senators think or the TV audience. His message is to the White House and it says, I'm keeping the code of silence, omerta, you can see I'm not talking, now get me out of this. And shazzamm! By holy writ and Constitution the separation of powers shall keep the Senate separated from the evidence in the White House files. It must be so, for the doctrine of executive privilege is the privilege of impunity, and if daughter Julie says that one night at dinner Pops was running for cover, declare her inoperative.

John Newton Toughnut has taken his pipe and his glower and removed himself from the TV screen. Linda Lovelace he wasn't, and the drama he starred in was only called "Deep Gloat." But it was hard core porn.

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