

The Dirtiest Trick

By William Safire

ESSAY

WASHINGTON—Like a beached whale, the Senate Watergate committee is wheezing and blowing in its final throes, a hulk that has begun to pall as a tourist attraction and poses a problem in its disposal.

Presidential speechwriter Patrick Buchanan struck a blow for Banquo's profession by sinking a few practice harpoons in the quivering beast yesterday.

The Ervin committee has degenerated into a Congressional method of leaking other people's memoranda; its chairman reiterated his halfhearted objection to the character assassination that is routinely practiced on any witness it calls.

Buchanan, the most effective Administration witness to date, pointed to leaks from committee sources that appeared in the nation's most prestigious newspapers which implied—falsely—that the conservative writer had a hand in spying activities. The press did not lie about the sources: the sources were the committee staff, busily engaged in its own political "dirty tricks."

Senator Ervin "deplored" the use of leaks to smear innocent people and blacken reputations without recourse; counsel Samuel Dash stoutly denied it; with all the cluck-clucks and tut-tuts and deplorings that went on, it sounded like a barnyard funeral. Everybody agreed with Mr. Buchanan that such encroachments on civil liberty were indefensible.

Of course, nobody suggested taking any action to end the character assassination process. The way to do that would be for one of the Senators—Howard Baker would be appropriate—to gather up three or four of the leaks, put the committee staff under oath one by one, and find out who is having all the fun.

Under the threat of perjury or contempt, which is what witnesses must face, the people who are being disloyal to the committee and dishonest with the public would soon spill the beans. That is how good judges make sure no leaks come out of their grand jury rooms from officers of the court. Threatening to put a few "reliable sources" in jail would pose no threat to press freedom and would do a service to the Bill of Rights.

Do you suppose Senator Baker will do this? Of course not. He will go on deploring, talking about fairness and withholding judgment until all the facts are in, and doing nothing to stop the perversion of individual rights, for a simple reason: senatorial courtesy. Oath-taking would reveal some of the most notorious leakers to be United States Senators and their staffs, and one does not embarrass a fellow Senator.

Ironically, in the interrogation of conservative Buchanan, the committee has revealed that its work has taken a dangerously illiberal turn. The search

is no longer for unethical acts that require legislative remedies, or for ways to "get to the truth" about Watergate. The search now has reached into political strategy.

What right does any arm of government have to demand to know the political strategy, past or present, of any party or individual? Would it be a good idea to send the F.B.I. over to Senator Kennedy's office to ask for the file on his political strategy? Or to convene a grand jury to look into the political strategy of George Wallace or John Connally or Lowell Weicker? No.

Talk about "chilling effects": would not the knowledge that any plan to throw out the incumbent, or to keep out the challenger, might be the subject of coerced testimony after the campaign cause such plans to be less frank?

The Watergate committee would respond to that question by having a reliable source leak out the word that



they are searching for the grand context in which specific crimes were committed. That is a justification, not a reason; the committee has "gone fishin'," and its probe into the political strategy of any group threatens the political freedom of every group.

Political strategy should be studied and debated elsewhere: a hearing room is not a classroom, an interrogator not a teacher, a subpoena not a library card, and a circus not a seminar. The crack of a whip is in the air, and the ideas of free men struggling to attain or hold power must never be discussed in that kind of atmosphere.

Pat Buchanan is an honest partisan, an ideologue, a man of thought: His ideas of philosophy and strategy, right and wrong, deserve the respect of cogent argument, not harassment.

The Senate's Watergate committee, in grilling non-Watergate-related White House aides to hypo its television ratings, has stumbled into a region—in Senator Talmadge's words—of "thought control." The Senators should stop thrashing about and start writing a report with some legislative ideas. A decomposing whale can be a hazard to health.