

The Fearless Spectator

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Disbar Nixon?

MEETING at Anaheim recently, the California Bar's Conference of Delegates overwhelmingly approved a bar investigation of six California lawyers allegedly involved in the Watergate scandal. Among the lawyers was President Nixon.

If the State bar disciplinary committee hearing should judge President Nixon guilty of unethical conduct, he could lose his license to practice law in California, even if he is not convicted of a crime.

One would think that the present state of the lawyer's union is such that a tycoon could crash the gates of Heaven faster than a crooked lawyer could be disbarred. But there are signs of the kind of disaffection among the State bar younger members that just might lead to open insurrection. California's lawyers are on trial in this matter.

The trouble now is that the President has not been found guilty of anything much, that everything is still in the "alleged" state, that the activities of too many lawyers are still being scrutinized by courts and grand juries. The only Watergate lawyer who has been nailed so far is G. Gordon Liddy, who was convicted of conspiracy with the original Watergate burglars.

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BUT THE legal profession is rightly concerned. The boys are showing a raddled face to the public. They badly need an improvement of image.

In a rare break with the convention that lawyers



are not only chaste pillars, but must appear to be chaste pillars, Supreme Court Justice Harry Blackmun agonized about "the misplaced loyalties, strange measures of the ethical, unusual doings in high places — and by lawyer after lawyer after lawyer."

Whether Mr. Nixon actually ordered all the things charged in the Watergate case, or whether he must accept responsibility if it can be proved that these things were done by people he appointed and gave immense power to, is going to be a critical question before the California disciplining body.

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CONSIDER the rollcall of charges, all involving lawyers: offering a prestigious federal job to a judge presiding over a politically crucial trial; proposing that political enemies be harried by tax-collecting agents; counseling perjury; forging defamatory documents; directing political sabotage and espionage; extorting illegal political contributions; laundering huge amounts of cash in foreign banks, and bribing witnesses to be silent.

A counsel for the District of Columbia has added up 125 lawyers figuring somehow or other in Watergate, 56 as members of the District bar.

Until now, Mr. Nixon has been in the decidedly embarrassing position of suppressing evidence vitally needed by prosecutors. This withheld evidence could convict some of the guilty; or, possibly more important, lead to dismissal of indictments against such deeply involved officials as H. R. Haldeman and John Ehrlichman. Anyhow, obstruction of justice.

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THERE ARE those lawyers who charge that when their colleagues go to the White House, they forget that they are attorneys, always officers of the court. As one lawyer put it recently: "It seems to me that they get so wrapped up in what they are doing, they just don't think. They stop being officers of the court and attorneys and become henchmen, simply staff men who happen to be attorneys."

There is the added difficulty in the most important lawyer of all, Mr. Nixon. There is this disposition among Americans to confer almost royal status on our Presidents once they have been elected. We tend to believe that taking over the office almost amounts to a change in character. We forget a man is involved, as Catholics forget the Pope is a man. For this there is the tart dictum of Lord Acton:

"There is no worse heresy than that the office sanctifies the holder of it."