

Don't Count Nixon Out

By James Reston

WASHINGTON, Jan. 22—There is a widely held view here that President Nixon is now taped and trapped, that the courts and the Congress are closing in on him, and that it is only a question of time before the evidence forces his resignation or impeachment.

Maybe so, but this is too simple and probably misjudges the power of the Presidency, the weakness of the Congress, the patience and compassion of the people, and Mr. Nixon's capacity to act faster than the Congress, the courts, or the press. He has made a life career out of disaster and he could do it again.

In the next few weeks, he will be in a position to dominate the news, not only with his State of the Union address but with his budget, his messages to the Congress on whatever subject he chooses, and his power to address the world on trade, energy, monetary reform, arms control and peace in the Middle East.

He cannot impose his will on the Congress, as he did for so long in Vietnam, but even in his present weakened state, he can direct the attention of the nation to his thought, lead the front pages and the TV network news broadcasts and thus, paradoxically, use what he regards as his "enemies" to dramatize his cause.

This is still a formidable force. Let the pundits say what they like. Franklin Roosevelt once remarked, just let me make the news. There is a difference now, of course, for the people and the Congress are tired of the appearance of sincerity and want the real thing; but Mr. Nixon still has the power to act, to appoint, to negotiate, to veto, to release facts in his possession, and, even at this late date, to demonstrate that he intends to preside over an open reformist Government.

If the people were determined to get rid of him, none of these powers would save him; but as most members of Congress discovered over the holidays, the people may long for a new beginning and wish he would merely go away, but they are confused, troubled and divided, and this gives him time for maneuver.

Also, if what I have heard in the last few weeks on both coasts means anything, a great many people still don't know what "impeachment" means, and might think it too good for him if they did, but they still hold back from putting him in the dock.

There is, too, a wide streak of cynicism in this country about the whole democratic process. One hears it said over and over again, and by people who are convinced that the President was deeply involved in the scandals and the cover-up, that after all this is a crooked world that requires crooked ways, secret deals, and bold evasive leadership!

This is not by any means a popular or dominant attitude, but there is enough of it around to help explain the paradox that many people don't trust the President but don't want to drum him out of office, especially since they don't put much faith in the Congress or the press either.

Accordingly, Mr. Nixon has another chance. The State of the Union is that we have no union, no common view of how to get out of the pickle, no clear realization that moral corruption is worse than petty crime, and not even much confidence that any alternative would be better than the poor outfit we now have. Maybe this is wisdom or mental and moral laziness, but anyway, it is Mr. Nixon's last chance.

He still has many options. He cannot deal with the State of the Union without dealing with the State of the President. He could come clean if he dared—give a more candid account of the Nixon men and the Nixon system in the scandals than ever before; release all documents to the Congress bearing on possible criminal action by his associates.

He could come forward with specific proposals for fundamental reforms in the financing of Presidential campaigns, redefine "executive privilege" and "national security," and suggest much stricter controls on wiretapping, and other forms of electronic snooping and computer listing of private citizens. In short, he might offer to his own people what he offered to the Soviets and the Chinese: an era of honest negotiation rather than confrontation.

But even if he doesn't finally seek reconciliation, he may still have the power to exploit the divisions and confusions of the people. He could argue for a quick resolution of the Presidential dilemma in his State of the Union Message, and request the Congress to order a national referendum on whether or not he should resign, and agree to abide by the vote of the people. He is a gambling man, and he might very well win.

This would clearly bring the issue to a head. It is not the best way, for it would cut across the procedures of the Judiciary Committee and the courts, but it would get an answer from the people and give Mr. Nixon a mandate to get out or get with the problems of the future.

In any event, his power to call for reform destroys the illusion that the President is a "pitiful, helpless giant," the central figure in a tragedy, powerless to influence events and merely waiting for resignation or impeachment. There is much he can still do, beginning with the State of the Union Message, and the question now is whether he will approach it in the interests of the nation or of himself.