

# All Thy Victories

By William Safire

ESSAY

WASHINGTON — President Nixon won three far-reaching and historic victories last week.

That statement will induce paroxysms of rage and laughter from most reasonable men, who have watched Mr. Nixon get pole-axed by the Supreme Court's order to turn over the remainder of the tangled tapes, and by the House Judiciary Committee's overwhelming desire to throw him out of office.

But in the long run ("In the long run, we are all dead," said Lord Keynes) history will record three events of the past week to have been overlooked but overriding:

First, the busing victory. The issue of "involuntary busing to achieve racial balance" in public schools was one of the great liberal versus conservative battles of our time. Liberals pointed to the good end of integration; conservatives pointed to the bad means of coercion and the disruption of the neighborhood school. Mr. Nixon's position was "Brown was right and Green was wrong"—that the decision to end enforced segregation was right and the decision to force integration was wrong.

Each one of Mr. Nixon's four appointments to the Court agreed with the President's basic position on busing. Throughout his first term and despite considerable disagreement within his Administration Mr. Nixon sought to lead the Court into an anti-busing stand. Last week, his philosophy triumphed, and the civil rights of a long-oppressed minority were at last checked by a judicial recognition of the civil rights of the majority.

Second, the victory of "Nixonomics." When Mr. Nixon entered office, his economic policy was mildly conservative: The way to move from a wartime economy to a peacetime economy without soaring unemployment was to gradually restrain demand and encourage production, choosing a middle way between government controls and laissez-faire unconcern.

When a worldwide inflation and the threat of recession at home in an election year caused Mr. Nixon to abandon his economic faith, he took the road urged upon him by Democratic economists and editorial writers—"bold, decisive action"—and succeeded only in proving that price and wage controls in peacetime cause shortages and aggravate the causes of inflation.

Last week, he returned to the faith—the "unpopular course" with no easy fixes, with belt-tightening on the budget, with irritatingly high interest rates—and condemned his own "discredited patent medicine of wage and

price controls." He made the right decision on economic policy, expressed it in a conservative and straightforward speech without thrills and frills and will have to wait for years before an unhappy public admits that the narrow channel between inflation and recession requires steady sacrifice.

The third, and to him the most important victory, was in the first clearcut assertion by the Supreme Court that the confidentiality of a President's discussions was "constitutionally rooted."

Before that decision, the President withheld a promise of compliance for two reasons: One, noted here, was to gain public credit for respecting the court's decision. The other was to give the Chief Justice some bargaining chips within the court. Nobody wanted a confrontation; if Mr. Nixon had been given nothing on principle, there might have been one; and so, as a face-saver to history, the Court gave the President a principle of what Mr. Nixon likes to call "executive privilege."

This was widely seen as handing a victim an aspirin on his way to the guillotine. But in the Pentagon papers decision, which the press interpreted as a great victory, the Court spelled out ominous ground for prior restraint of publication; in the same way, while saying that generalized claims of privilege do not outweigh the need for evidence in criminal trials, the Court handed future Presidents powers that more than make up for last week's publicized restraints.

Future Presidents, with the ghost of Mr. Nixon nodding approvingly over their shoulders, will take the Court's decision to mean that a "need to protect military, diplomatic or sensitive national security secrets" gives the Chief Executive the privilege of withholding anything—anything—from even the in camera inspection of a Federal judge.

Anybody who thinks that is not a victory for Mr. Nixon is allowing impeachment fever to becloud his judgment. As Tom Wicker was the first to observe, the decision provides an umbrella for "a huge proportion of Presidential activities." Mr. Nixon's whole life has shown that the obvious loser can turn out to be the ultimate winner: Unlike his two other victories, which were triumphs of realism and good sense, his winning of national-security privilege is a dark victory.

All of which is why the President is not so crazy to detect silver linings in the events of the last seven days, even though pessimists can point out that for every silver lining there is a large, black cloud.