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Unhealthy Trifling

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Whatever the true state of former President Nixon's health, it is odd to find his own doctor conveying alarming details to the public press before they have even been reported to the patient's wife. This is precisely what the former White House physician, Maj. Gen. Walter Tkach, admits to when he freely provided Newsweek with medical information that he says was withheld from Mrs. Nixon, "for fear of frightening her."

Any family would be entitled to question such unprofessional behavior from its doctor unless they had some reason to believe that a useful purpose would be served by extensive disclosure. In the present case it was Mr. Nixon's family which injected the former President's state of health into the public debate; at least partly because of a believed threat to his health—so President Ford says—Mr. Nixon was given complete pardon for any criminal offenses committed during his Presidency.

No Presidential pardon can insulate Mr. Nixon, however, from probing and possibly hostile cross-examination during the legal proceedings against the Watergate conspirators; the former President is already under subpoena as a witness for the forthcoming trial of his former lieutenants. Indeed, the pardon undermined one protection Mr. Nixon might have invoked to avoid giving testimony, any citizen's Fifth Amendment protection against self-incrimination.

Should the question arise of excusing the former President from testimony on health grounds—and thus exempt him further from the legal process—there could be no proper decision until independent court-appointed physicians had given their expert and impartial professional opinions.

A man's health is not a worthy subject for the public relations treatment—either to his detriment or for his benefit. Mr. Nixon deserves the same respect and confidentiality from the medical profession as does any other citizen. But because his health has been invoked to justify a major exception to the rule of law, such as the pardon represents, the public is entitled to a far more coherent and disinterested statement of Mr. Nixon's physical condition than the strangely contradictory reports issuing so far from a small circle of intimates in San Clemente.