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Watergate Incomplete

Summing up the dark days of Watergate, Henry S. Ruth, the outgoing special prosecutor, wrote in a personal note attached to his final report: "The national government had offended its people's sense of justice. The citizens wanted to control what would happen, and they eventually did. When vigilance erupted, institutions responded."

However, the prosecutor's official report does not quite bear out Mr. Ruth's concise personal comments. The American people's vigilance was indeed awakened. Institutions did respond. And yet, the response fell short. The follow-through was incomplete.

The nation's most visible institution—the Presidency—responded with an unconditional pardon of Richard Nixon, the central character in the Watergate affair. And now the special prosecutor, in winding up his investigations, admits that the identity of the person who erased the crucial 18½ minutes of incriminating conversation between Mr. Nixon and H. R. Haldeman, then his chief of staff, remains unknown.

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Mr. Ruth's failure to resolve the mystery is all the more disappointing in light of his unquestioned diligence and integrity in the pursuit of the circuitous Watergate trails. His report effectively underscores the evidence that Mr. Nixon had been early and deeply involved in criminal obstruction of justice.

The report also reminds the American public that many concrete steps are yet to be taken to prevent future abuses of governmental power. For instance, the recommendation that "the President should not nominate and the Senate should refuse to confirm" as Attorney General or other key Justice Department official any person who had been prominently involved in Presidential campaign politics strikes at a long-standing custom no less disgraceful because it has been followed by Republican and Democratic Presidents alike. More often than not in recent decades, the Justice Department has been degraded by turning over the office of Attorney General to the crassest form of political leadership.

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If the report evokes a sense of disappointment, it is because the special prosecutor evidently saw no fruitful way of reaching the end of the trail. Mr. Ruth apparently concluded that he did not have strong enough evidence to bring in indictments against the individuals guilty of the various remaining unsolved crimes. Yet, since the report itself points out that only a very small number of persons could have committed the crime involved in the 18½ minute gap, the question remains why the effort to track down the guilty was abandoned. That glaring case, moreover, is merely one of several pieces of unfinished business.

Failure to tie up these troubling loose ends should by no means obscure the contributions made by the special prosecutor in the difficult unravelling of these wide-ranging scandals. It is nevertheless disconcerting that the remaining gaps in the Watergate chronicle may ultimately revive doubts about the nation's capacity to deal effectively with corruption at the summit of power.