

Jack Anderson blasts Ethics Committee

The Sept. 11 installment of syndicated columnist Jack Anderson's commentaries on the Williams case pointed to a key constitutional issue. Excerpts follow.

The Justice Department's pursuit of Sen. Harrison A. Williams, Jr. (D-N.J.) led the prosecutors to commit a long list of improprieties. Not the least among them was the stage-managing of the Senate investigation into his ethics.

In effect, they tried him twice on the same dubious evidence. The Senate should have made its own independent determination of Williams's guilt in the Abscam case. The presence of the ubiquitous prosecutors in the Senate wings raises a troubling question: how far should the executive branch be allowed to go in its efforts to drive a U.S. senator out of office?

Williams wanted the Senate Ethics Committee to conduct a full investigation. . . . Instead, Justice Department officials were allowed to guide the committee from backstage. . . . Long before Williams was found guilty, courtroom observers spotted a frequent visitor huddling with Abscam prosecutor Thomas Puccio during the trial. The mysterious stranger was identified by witnesses as the Ethics Committee's counsel, Donald Sanders. . . .

The senator requested extra time to prepare his case and present it at a public hearing. He was turned down. Yet the committee granted the Justice Department months to prepare its case against Williams, which was presented to the senators behind closed doors. This star chamber presentation—Williams was not allowed to be on hand to confront his accusers—did not persuade all the members. . . .

Several were convinced the Justice Department didn't have a case against him. In fact . . . at one of the closed sessions a Justice Department official conceded that the facts did not match the law. The committee should have subpoenaed the prosecution records immediately. Instead, then-chairman Howell Heflin (D-Ala.) gave the department an additional three months to make a case against Williams.

repudiate the recommendations of the "Ethics Committee" in the Williams case, that would serve as a turning-point, a reversal of the process of moral decay infecting our citizens and our leading institutions.

I think I do not exaggerate the significance of such proposed action in the Williams case.

The chief feature of the process by which we have become immoral, and often insane, in our judgments is the substitution of "consensus" for independent, rational judgement. We used to ridicule some of those defendants in the trials of Nazis at Nuremberg, whose argument in defense was "I only carried out orders." Is there an important difference between saying "I carried out orders," and saying "I had to go along with the prevailing consensus?"

Each member of Congress is morally responsible for whatever consequences ensue from each decision. That member is personally accountable morally, and if that person is moral, must act on the basis of reason and conscience even if he or she is a minority of one in Congress or party. That is the quality of representation the citizen of a republic has a right to expect; that is the quality of representation those citizens ought to demand.

Granted, our citizens themselves often behave immorally at the polls. Often, they vote for a candidate not because of the candidate's character and policies, but chiefly because they believe the candidate might win despite their vote, and because they view the candidate as a "lesser evil" among those who might be elected. Others support candidates because they believe they have made an advantageous "private deal" on this or that issue. "To the devil with the nation; I have to take care of my own interests!"

In the Williams case, the prevailing consensus is to "dump him." Most of those congressmen who are inclined to support the "dump" decision either know that Senator Williams is innocent, or would prefer not to listen to any of the evidence which would embarrass them with that reality. "Look," they say, "the decision has been made, and I'm going along with it." Are those congressmen any better than the Nazi war criminals we used to ridicule for "only taking orders"?

Therefore, if a majority of the Senate could muster the morality of practice to repudiate the irrationalist rantings of Judge Pratt, that courage to go against the "prevailing consensus" would mean a revolution in morality within the Congress. Many of the senators who found the courage to act honorably in support of Senator Williams, would confide to their wives that same night: "For the first time in years in politics, I really feel clean tonight. It's a very good feeling."

If we can reverse direction in our national affairs in that way, perhaps we might survive as a nation. At least, we should have tried.