

No Defense ...

MT 8/17/73

President Nixon's speech on the Watergate scandals and the supplementary statement issued by the White House are as remarkable for what they omit as for what they contain. In essence, they constitute a concession by Mr. Nixon that he has no detailed defense to offer against the damaging testimony before the Senate Watergate committee. In place of a rebuttal, he offers an omnibus denial and a plea for the public to turn its attention to other pressing public issues. It is a sad, disappointing and wholly unconvincing performance.

Insofar as he ventures into specifics, Mr. Nixon makes statements that are highly questionable. This applies particularly to the President's repeated assertion that, beginning on March 21, "I launched an intensive effort of my own to get the facts and to get the facts out." The unhappy fact is that throughout this entire year of scandals and denials, the White House has volunteered only one material bit of information. That was the fact of the burglary of the office of Daniel Ellsberg's psychiatrist. And for this disclosure Mr. Nixon can take no credit. By his own statement, he knew of the break-in for more than a month before the judge in the Ellsberg trial was notified; and he made the reluctant disclosure only because it was plain that Attorney General Kleindienst and Assistant Attorney General Petersen would have resigned if he had not.

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In urging that Americans leave Watergate to the courts and turn their attention elsewhere, Mr. Nixon seems still unaware that the issues involved far transcend the conviction of particular individuals. Watergate does not just refer to a bungled burglary in a Washington office building; it is a shorthand description of lawlessness and ruthlessness on the part of the White House, the Nixon campaign organization and certain members of the Nixon Cabinet. The vast powers of the Government were being used corruptly and irresponsibly to serve partisan and private ends.

Much of this wrongdoing has been concealed under a fog blanket of "national security" and "internal security." Despite his assurance that he can protect the nation's security "by constitutional means," the President even now has not really condemned this wrongdoing. He mitigates it as due to an excess of zeal when, in fact, some of the worst excesses resulted from settled policy which he defined and from calculated decisions which he or senior members of his staff approved. It was Mr. Nixon himself, after all, who set up the White House "plumbers" and who personally briefed Egil Krogh, the chief plumber, on the importance of his mission. Each current word of Presidential criticism is more than offset by a balancing comment: "It is essential that such mistakes not be repeated. But it is also essential that we do not overreact to particular mistakes by tying the President's hands in a way that would risk sacrificing our security."

Can the public really believe that the President has learned the lessons of Watergate when he displays so little recognition that his high-ranking aides gravely distorted traditional concepts of individual freedom and democratic process in the name of "security."

... No Excuse

Perhaps the most extraordinary passage of President Nixon's speech was his bald assertion that it is Watergate that stops him from acting on the nation's urgent problems. "Legislation vital to your health and well-being sits unattended on the Congressional calendar," he declared. That is a strange remark from a Chief Executive who has vetoed three out of the last four Health, Education and Welfare appropriations bills, has impounded health funds and has blocked—even illegally pocket-vetoed—health bills passed by Congress.

It is equally astonishing to find the President blaming the concern over Watergate for his inability to grapple effectively with inflation or the decline in the value of the dollar. While there are worldwide factors that make it unfair to hold the Administration wholly responsible for these economic ills, it is incontestable that the Administration has all but run up the surrender flag in its efforts to contain the runaway rise in prices. As the calamitous advent of Phase 4 makes clear, the White House simply has no program for dealing with inflation—and Watergate is merely a stormcellar in which it now seeks to hide.

The proper and necessary role for the courts is to determine culpability for the specific crimes committed in this far-ranging series of scandals. But the President would be on sounder ground, even in that phase of the inquiry, if he stopped withholding the tapes needed to help establish the truth or falsity of disputed testimony.

Even if Mr. Nixon had not undercut his own claim of confidentiality for these records of White House conversations by permitting H. R. Haldeman to take one of them home after his resignation as a Presidential aide, there would be an easy way to make the tapes available as evidence without creating anxiety about the freedom with which insiders, outsiders or representatives of foreign countries could converse with the President.

The proper course for Mr. Nixon would be to turn the tapes over to a Federal judge or to an impartial screening panel for exclusion of secret military information and anything else that was irrelevant. The material would then be released to the Watergate special prosecutor and the grand jury, thus enabling the courts to get on with their task.

It would also be helpful for the President to make good on the point-by-point rebuttal of specific charges which was long promised by the White House but which was absent from Wednesday's supplementary statement. As long as Mr. Nixon withholds both the tapes and a factual reply, the public will have to conclude that he

has no credible defense to offer. Without a convincing Presidential defense, Watergate can only grow rather than diminish in potential significance.