

Scrambling to Break Clear of Watergate

As Richard Nixon finally went on television last week to make his first report to the American people in three months, he faced perhaps the toughest audience of his career. A Gallup poll showed that he had become the least popular President in 20 years, with only 31% of the people approving of the way he was handling his job. The Oliver Quayle poll further announced that if the 1972 elections were to be repeated today, Senator George McGovern (who received only 38% of the popular vote) would win with 51%. The only comfort the polls held for the President was the curious paradox that, while 73% suspected him of complicity in the Watergate cover-up, only 26% wanted him removed from office.

Clearly, a troubled nation was waiting for an explanation, a restoration of public trust. What it received instead was a plea by the President to put aside the "backward-looking obsession with Watergate [that] is causing this nation to neglect matters of far greater importance." He made no real effort to answer the damaging charges and questions that have emerged from three months of testimony before the Ervin committee; he merely reiterated that the charges against him were false. Perhaps understandably, he had nothing at all to say about the latest scandal to involve his Administration: the grand jury investigation in Baltimore of kickback and extortion charges that gravely threatens Vice President Spiro Agnew (see following story).

No Relief. In some respects, it was a brilliantly crafted speech, straightforward sounding and without the self-pity of last April's performance. It was carefully balanced between shouldering the blame and pushing it off on others, between condemning Watergate and excusing it, between criticizing the cover-up and justifying it on security grounds. He "deplored" the Watergate acts but also suggested that they were only the work of a few officials acting out of misguided zeal and somehow infected by the excesses of the radicals in the '60s. He accepted overall responsibility but also managed to imply that he was not to blame for being misinformed—and misinformed largely by one man, John Dean. He reaffirmed his desire to get at the truth and yet complained that the investigators of the scandal were mired in the past and determined to implicate the President even if it meant damaging the country. "If you want the mandate you gave this Administration to be carried out," the President declared, "then I ask for your help to ensure that those who would exploit Watergate in order to keep us from doing what we were elected to do will not succeed..."

In short, the President was scrambling

to break clear of Watergate, pleading other urgent business. For the present at least, that other business offered no relief, no encouragement for the country. Nixon defined his mandate thus: "to control inflation, to reduce the power and size of Government, to cut the cost of living... to achieve peace with honor in Southeast Asia and bring home America's prisoners of war, to build a new prosperity without inflation and without war..."

It was at best a list of unmet challenges, at worst a catalogue of failure. The President has indeed ended U.S. involvement in the war and brought home

tend to divert suspicion from him.*

The President had spent long days in mulling over his line of attack. On Aug. 7 Nixon awoke at 2 a.m., took a notebook from his bedside table and wrote a six-page outline of the main points he wanted to make. That evening he sailed on the Potomac for two hours aboard the presidential yacht *Sequoia* with his favorite speechwriter, Raymond Price. The following day he asked his chief of staff, Alexander Haig, to poll the White House senior staff and others for their thoughts on what he should say and how he should say it. Suggestions ranged, as one staff mem-

CBS NEWS



PRESIDENT NIXON ADDRESSING THE NATION LAST WEEK ON THE WATERGATE CASE
A troubled nation was waiting for an explanation.

the prisoners, but he has failed to realize most of his domestic goals. His price freeze has given way to Phase IV, and across the nation the cost of food and other commodities is soaring to record levels. The Department of Agriculture estimates that food prices will rise 20% this year; in New York City, the cost of groceries jumped an appalling 3.9% in the space of seven days (see THE ECONOMY).

In trying to put Watergate aside and get on with the nation's problems, Nixon may well be in tune with the country's mood. But that was not the same as restoring trust. As Senator Barry Goldwater put it, "In my opinion, he did not add anything that would

ber later described it, from "mea culpas to a two-fisted hard-line approach." But the consensus was that the speech should be "moderate, dignified, strong in adherence to principle and hopefully presidential in character." Nixon's legal advisers, J. Fred Buzhardt, Leonard Garment and Charles Alan Wright, went to work on a statement that was to be released simultaneously with the TV speech. The statement proved to be a slightly more detailed version of the speech but, unlike the President's May 22 statement on Watergate, contained few facts or legal arguments.

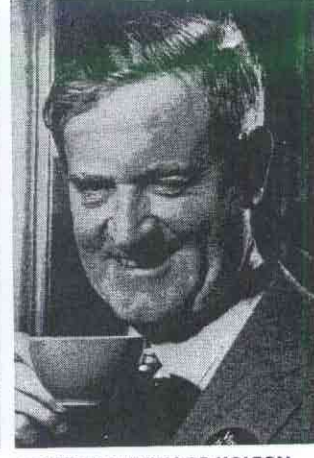
On Aug. 9 the President flew to Camp David with Haig, Price and Press Secretary Ron Ziegler. They were soon



GOVERNOR RONALD REAGAN



THE REV. RALPH ABERNATHY



GOVERNOR LINWOOD HOLTON



SENATOR BARRY GOLDWATER

joined by a second speechwriter, Pat Buchanan, who is more conservative and hard-hitting than Price. For two days, both writers worked on the speech, with Nixon editing their copy by scribbling extensive notes in the margins and sometimes dictating new paragraphs to Haig.

The speech was not finished until Aug. 14, the day before its delivery, when Nixon applied the finishing touches to the eleventh—and final—draft. The speech was so difficult to prepare, explained one of the men who worked on it, "because in many respects it was a needle-threading operation. He had to touch on the important aspects of Watergate without getting bogged down in the nits of it. He made a very keen effort to be balanced and objective."

The President arrived in the Oval Office just two minutes before air time and concentrated on arranging himself for the camera. His face looked drawn, but his hands were steady.

It was obvious almost from the start that those who had expected a full presidential explanation would be disappointed. Whatever his attempts to be "balanced and objective" may have been, he began by criticizing the Ervin committee for its "effort to implicate the President personally in illegal activities." He said that "the facts are complicated, the evidence conflicting," and he added, in an extraordinary attempt to keep above the battle, "I shall not attempt to deal tonight with the various charges in detail." Instead, he said, he would simply provide a "perspective from the standpoint of the presidency."

On his own role in Watergate, he reasserted his innocence. "In all the millions of words of testimony [before the Ervin committee], there is not the slightest suggestion that I had any knowledge of the planning for the Watergate break-in." As for any knowledge of the cover-up, said Nixon, his innocence had been challenged by "only one of the 35 witnesses"—John Dean—"who offered no evidence beyond his own impressions, and whose testimony has been contradicted by every other witness in a position to know the facts."

Having repeated his denials, the President added practically no details in response to the testimony before the Ervin committee. Among the many things he chose not to explain were:

1) Why he did not respond to Acting FBI Director L. Patrick Gray's astonishing assertion to him on July 6, 1972, that certain White House aides were trying to "mortally wound" the President by interfering with the FBI and CIA.

2) His comments to Dean in September 1972 that led the White House counsel to believe the President knew all about the cover-up.

3) The illegal disbursement of huge sums by his aides to the original seven Watergate defendants.

4) Why, when he launched his own investigation last March 21, he did not immediately solicit the aid of the FBI or the CIA.

Summarizing his earlier position, Nixon insisted: "Because I trusted the agencies conducting the investigations, and because I believed the reports I was getting, I did not believe the newspaper accounts that suggested a cover-up. I was convinced there was no cover-up because I was convinced that no one had anything to cover up." He did not explain how he and his Administration could have been misled for nine months by only one man, Dean; nor did he try to excuse the managerial ineptitude that this implies.

The President's other principal points:

ON THE WHITE HOUSE "PLUMBERS"

In the statement that accompanied his speech, the President alluded to efforts by Watergate Defendant E. Howard Hunt to demand \$120,000 from the White House as his price for not talking about "other activities, unrelated to Watergate, in which he had engaged."

Referring to the burglary of Daniel Ellsberg's psychiatrist's office, directed by Hunt and G. Gordon Liddy, Nixon said he had erred in his May 22 statement when he stated that he learned of the burglary at the time he launched his own Watergate investigation on March 21. Actually, said Nixon, he had been informed of it a few days earlier, on March 17. But he delayed in passing on the information about the break-in to the Ellsberg trial judge, Matthew Byrne, until April 25. He added that he had ordered Assistant Attorney General Henry Petersen to stay out of the Ellsberg affair because he feared disclosures that could "seriously injure the national security."

ON THE WHITE HOUSE TAPES

Despite his proposal that the Watergate case be "turned over to the courts," the President vigorously defended his refusal to surrender to the courts the evidence contained in the tapes of presidential conversations that the White House secretly recorded. Aware that his refusal has damaged his credibility, he apparently felt obliged to explain his position at length. "For very good reasons," he declared, "no branch of Government has ever compelled disclosure of confidential conversations between officers of other branches of Government and their advisers about Government business." Confidentiality and trust are absolutely essential to the conduct of the presidency, he maintained—though he did not address himself to the betrayal of trust involved in the secret recording of private conversations in the first place. Nor did he respond to suggestions that he might release the tapes to a select panel of judges without violating any trust. The conversations between the President and his advisers, Nixon contended, were as private and as legally privileged as those between "a lawyer and a client, between a priest and a penitent and between a husband and a wife."

ON THE WATERGATE "MENTALITY"

The President accepted "full responsibility" for the acts of his aides, adding: "No political campaign ever justifies obstructing justice, or harassing individuals, or compromising [the] great agencies of Government." In one of his most refreshing passages, he continued: "I reject the cynical view that politics is inevitably or even usually a dirty business. Let us not allow what a few overzealous people did in Watergate to tar the reputation of the millions of dedicated Americans who fought hard but clean for the candidates of their choice in 1972."

Then, trying to explain the origins of recent political skulduggery, Nixon sought to link the Watergate case with the civil disobedience of the 1960s, which, he said, "brought a rising spiral of violence and fear, of riots and arson and bombings, all in the name of peace and justice . . . The notion that the end justifies the means proved contagious." It was not surprising, he continued, "even though it is deplorable, that some persons in 1972 adopted the morality

that they themselves had rightly condemned and committed acts that have no place in our political system."

Though Nixon was obviously right in condemning all varieties of illegality, and although he may well have been right when he said that the White House was reacting to threats of violence from the left, he failed to make a distinction between the protests of citizens and the misuse of the vast police powers of the state. Commented the *Washington Post*: "What is the President trying to tell us? That Abbie Hoffman set a bad example for John Mitchell and that the former chief law officer of the land was very impressionable?"

ON THE NEED TO GET ON WITH IT

Nixon spoke with commendable hope about the need for a new attitude in American politics and for "a renewed respect for the mutual restraints that are the mark of a free and civilized society." For his own part, he pledged "a new level of political decency and integrity." Yet even as he did so, he could not resist a partisan shot or two. In a particularly sharp rebuke to the Ervin committee, he seemed to be implying that all Government good works had been stalled by the Senate investigation of Watergate.

"Legislation vital to your health and well-being sits unattended on the congressional calendar," the President complained, obscuring the fact that it is the Executive Branch—and not Congress—that has been paralyzed by Watergate. "Confidence at home and abroad

SPEECHWRITER RAYMOND PRICE



DIRCK HALSTAD

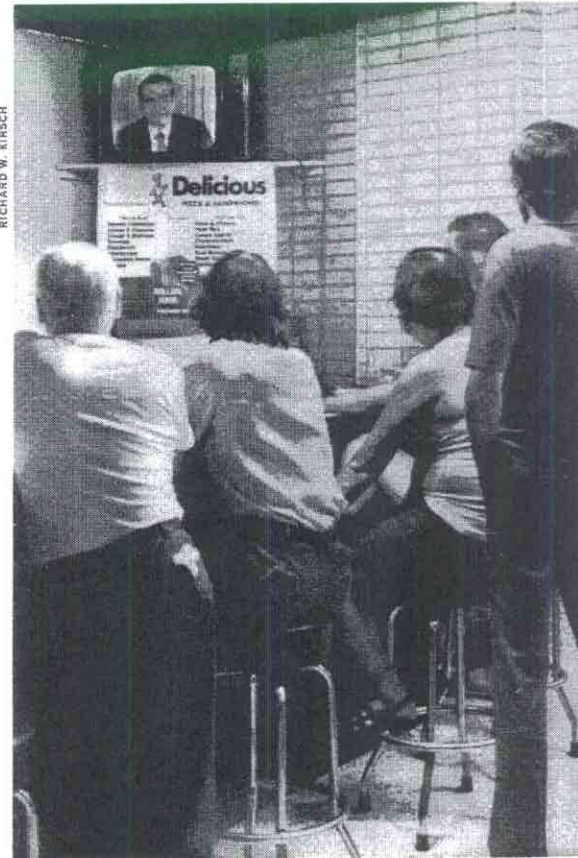
in our foreign policy is being sapped by uncertainty," said Nixon, as if Phase IV and the price of beef depended upon the support of Senator Sam Ervin. "These are matters that will not wait," said Nixon. "They cry out for action now. Either we, as your elected representatives here in Washington, ought to get on with the jobs that need to be done—for you—or every one of you ought to be demanding to know why."

The scrappy touches in the Nixon speech suggested that the President might be getting ready to fight his critics harder from now on; indeed, one of his aides affirmed that Nixon was prepared, if necessary, "to get into a rough brawl." Even the physical setting for last week's speech seemed to provide an image of an austere Chief Executive. Gone were the bust of Lincoln and the photograph of the Nixon family that he had used as trappings for his April 30 address—and been ridiculed for. This time he was flanked only by an American flag and a presidential flag. Throughout the speech, he was restrained and businesslike. When it was over, he paused for just a moment to chat dutifully with the TV camera crew, then withdrew to his family quarters to receive congratulatory calls from supporters.

Much of the reaction to any presidential address is, of course, quite inevitable; the President's friends rally, his opponents attack. To California Governor Ronald Reagan, last week's message was "the voice of reason." Virginia Governor Linwood Holton, a moderate Republican, liked the speech ("I agree that we should get on with the public's business"), and so did New Hampshire Governor Meldrim Thomson, who felt that "his analogy to the riots of the 1960s was excellent."

Another Rerun. Ohio Republican Congressman Clarence Brown was not wholly satisfied, but he believes that most people are indeed getting sick of Watergate. "The reaction I get from the people here," he says, "is, 'Aren't you all getting sort of seized up in the autopsy? Aren't there other things we ought to be doing?'"

Some of the Democratic opposition was equally predictable. Senator Ervin, vacationing in North Carolina (see page 16), called the speech "a rehash, a solicitation of the public to make the committee quit working." He said that it reminded him of the old lawyer who advised a young colleague: "When the facts of law are against you, give somebody hell." Ohio Governor John J. Gilligan slyly noted that in Nixon's discussion of the confidentiality that exists between lawyer and client and between husband and wife, the President "stopped short of [mentioning] the relationship between psychiatrist and patient—which his top staff went out of their way to violate." Ralph Nader disliked the speech; so did the Rev. Ralph Abernathy, the newly re-elected head of the Southern Christian Leadership Conference, who, at a mass rally in In-



RICHARD W. KIRSCH

WATCHING IN PITTSBURGH BAR

"That dog won't hunt."

dianapolis, heatedly called for the President's arrest.

The President would hardly have expected the *New York Times* or the *Washington Post* to acclaim his speech, and neither did. "A sad, disappointing and wholly unconvincing performance," said the *Times*. To the *Post* it was a speech of "large silences and vague insinuations."

But Nixon could scarcely have anticipated the breadth of criticism that the speech produced. The *Atlanta Constitution* somewhat hyperbolically called it "one of the low points in the history of American democracy." The *Boston Globe* headlined a news analysis of the speech ANOTHER SUMMER RERUN. The Scripps-Howard papers, which customarily support Nixon, dismissed the speech as "regrettable, not to say disappointing," branded his policy on the tapes "a grave mistake," and added that "people with nothing to hide do not hide things." On the other hand, the *New Orleans Times-Picayune*, a loyal Nixon supporter, pleaded for restraint to prevent "the current overkill" from damaging the President's ability to govern.

The most common reaction among both liberals and conservatives alike was that the President had disappointed the country by saying nothing new. Senator Edward Brooke, a moderate Republican, was one of the unimpressed: "The President did not answer these serious charges with any specifics. We wanted facts; he gave us rhetoric." Michigan Republican Governor William Milliken, similarly, said he had hoped that Nixon "might be willing, in a more tangible way, to confirm what he was saying." Republican Congress-

THE NATION

man Mark Andrews of North Dakota agrees that the public is more concerned about high food prices than about Watergate, but he also believes that the two different problems "make a most potent political combination."

In the middle were tens of millions of Americans who, while they might be tiring of Watergate, had not been sufficiently reassured to put their minds at rest. "I'd like to believe he's innocent," said Raven I. McDavid Jr., an English professor at the University of Chicago, "but he sure isn't giving me much opportunity." An industrial engineer from Holyoke, Mass., Joe Cahill, agreed: "You want to believe him, but you cannot." Jim Brandon, a Little Rock advertising man, referred to an Arkansas expression, "That dog won't hunt." He added: "Well, that sums up my reaction. Nixon attempted to get off the hook, but he didn't make it."

At week's end, the Gallup poll reported that, of the unusually large number of Americans who had watched the address, 44% found it "not at all" convincing, while 15% concluded that it was "completely" convincing, and the rest were scattered in between. In response to other questions, 66% said that the speech had not increased their confidence in the Nixon Administration, 56% believed that Nixon should turn over the presidential tapes, and 58% disagreed with his assertion that civil rights and antiwar protests helped create the atmosphere that led to Watergate.

In Doubt. Despite such indications from the hustings, Nixon and his advisers seem to believe that the crisis is past, and that the President can now emerge from his isolation. This week in New Orleans he will address the Veterans of Foreign Wars, and soon after that will hold his first press conference since March 15. Lest reporters become overly optimistic, however, Deputy Press Secretary Gerald Warren let it be known last week that Nixon may choose not to respond to detailed questions about Watergate, on the ground that he has already spoken "forthrightly" on the subject.

Presumably the White House is banking on the belief that the public has lost its taste for Watergate and that the threat of impeachment is past. But this is not the whole issue. "I don't think he's in danger of not surviving," reflected Republican Congressman John Anderson of Illinois last week. "But he has to survive with a kind of moral authority and capacity for governance that rest upon the trust and confidence of the people—and this wasn't helped by his performance last night."

That indeed is the question. The President may well have "survived" in office, but his ability to govern effectively, to control a runaway inflation and to restore a shaken dollar, to prevail upon a suspicious Congress and a semiparalyzed bureaucracy—all this remains in doubt.

GRAND JURY MEMBERS IN BALTIMORE

THE VICE PRESIDENCY

Heading Toward an Indictment?

Fresh from a round of golf and good living at Frank Sinatra's spread in Palm Springs, Vice President Spiro T. Agnew returned to Washington last week to deal with the charges of corruption that have threatened his entire political future. After meeting with his attorneys for most of a day, the Vice President sent a letter to George Beall, the U.S. Attorney in Baltimore, offering to let the prosecutor examine Agnew's personal financial records for the past 6½ years "at any time you may desire." Furthermore, said Agnew, he would be happy to submit to a "personal interview" with Beall "so that I may answer any questions you have." All in all, it seemed the performance of a man anxious to prove, as Agnew has claimed, that he had "nothing to hide."

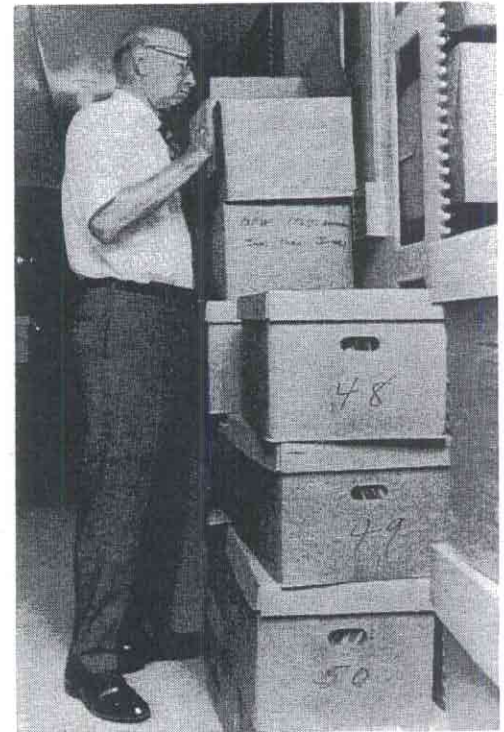
Despite all the Vice President's protestations of innocence, however, TIME has learned that in the view of Justice Department officials in Washington, the case against him is growing steadily stronger, and that an indictment appears inevitable. Besides the two Maryland contractors prepared to testify that they delivered extorted campaign contributions to Agnew (TIME, Aug. 20), the Government has a third witness with a similar story. He is Allen I. Green, 49, president of a Maryland engineering firm, a man for many years regarded as one of Agnew's closest friends. Green reportedly has said that he gave kickbacks to Agnew about five times a year when Agnew was Governor of Maryland (1967-68) and slightly less often after he was inaugurated Vice President in 1969.

"The department has no choice," a Justice official in Washington said. "At least three witnesses have told of delivering cash payoffs to Agnew. The evidence is so strong that the case must be taken to trial." A federal grand jury in Baltimore is expected to vote an indictment next month charging Agnew

with, among other things, bribery and extortion.

Green and the Government's two other prime witnesses, Jerome Wolff and Lester Matz, both also engineering consultants and former Agnew associates, have told prosecutors that they delivered to Agnew personally cash kickbacks from their own firms and as many as a score of other state and federal contractors in Maryland. For example, Matz has claimed that on one occasion in 1971 he carried \$2,500 right into the Vice President's private office in the Executive Office Building and handed it to Agnew, allegedly in return for Agnew's help in getting one of Matz's friends a job in the General Services Ad-

UPI



ARCHIVIST EXAMINING AGNEW RECORDS



AP