

Nixon-Haldeman-Ehrlichman Defense

President Nixon's unequivocal linkage of his own Watergate defense to his claim of total innocence for former aides H. R. Haldeman and John Ehrlichman, a linkage that stunned even presidential aides, represents a high-stakes gamble for the future.

In the privacy of the White House, Mr. Nixon has long stressed his total confidence in his two departed lieutenants whose resignations he accepted under pressure April 30. What surprised presidential staffers now in San Clemente was that he proclaimed their innocence so loudly in last Wednesday's press conference.

Why the surprise? Because the President's top advisers have always expected Haldeman and Ehrlichman to be indicted, and nothing has changed their minds. They believe special prosecutor Archibald Cox seeks to indict the two even without testimony against them by deposed White House Counsel John W. Dean III. Thus, the trials of Haldeman and Ehrlichman would become a de facto trial of Richard M. Nixon—precisely what presidential advisers wanted to avoid.

The Haldeman-Ehrlichman problem is submerged in the San Clemente euphoria generated by the press conference. Mr. Nixon handled his press inquisitors with hard authority and his aides now feel the worst is over. But they forget that the day Cox asks the grand jury for indictments lies ahead and that Mr. Nixon has now upped his own potential stake in those proceedings by tying himself so closely to his old aides.

A foretaste of that linkage came in late June with White House counsel J. Fred Buzhardt's memorandum in response to Dean's charges before the Senate Watergate committee. But senior presidential aides let it be known

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that the Buzhardt memo's blanket defense of Ehrlichman and Haldeman was a blooper, not truly reflecting the President's desires.

Moreover, the consensus inside the White House then called for Mr. Nixon to separate himself from Ehrlichman and Haldeman. One senior aide close to the President privately blamed Ehrlichman personally for the extent of the Watergate crisis. Leaked White House stories forecast presidential disengagement from his two former lieutenants.

That such stories were mostly wishful thinking was revealed with disclosures that Mr. Nixon had given Haldeman White House tapes to monitor after being warned by the Justice Department of Haldeman's possible indictment. But not even his own staff was prepared for Wednesday's total commitment to the Haldeman-Ehrlichman cause.

Besides predicting their exoneration, Mr. Nixon did not bother to cloak his intimate association with their defense. In telling why he had given the tape of the Sept. 15, 1972, Oval Office meeting to private citizen Haldeman, Mr. Nixon did not bother with previous explanations by aides that the tape contained matters too sensitive for an outsider to hear. Rather, he said "I wanted to be sure that we were absolutely correct in our response" to Dean's charges.

The press conference, furthermore, puts Mr. Nixon in the position of embracing the Ehrlichman-Haldeman testimony in detail while disputing in some degree almost everybody else—including Assistant Atty. Gen. Henry Petersen. The President's press conference account of his April 18 conversation with Petersen about the Ellsberg psychiatrist's burglary bears slight resemblance to Petersen's version.

Even the President's faithful supporter and former aide Clark MacGregor, is now disputing Mr. Nixon. Mr. Nixon told the press conference he "first of all" asked MacGregor to investigate the Watergate burglary. MacGregor, who did not take over as Mr. Nixon's campaign manager until two weeks after the burglary, has no such recollection. The dispute makes Mr. Nixon the sole buttress for Ehrlichman's astonishing claim that MacGregor showed no interest in uncovering the truth about Watergate.

Most remarkable in revealing Mr. Nixon's mind-set is his interpretation of a July 1972 call from FBI Director L. Patrick Gray that staffers might mortally wound him. Presumably, Gray meant Haldeman and Ehrlichman as well as Dean. But what did Mr. Nixon say? "I assume that the individuals he (Gray) was referring to involved this operation with the CIA," said the President.

All this, say Nixon staffers, reflects merely the President's unconditional loyalty to those unflinchingly loyal to him. Mr. Nixon's critics contend, without proof, that it suggests far more: a plot involving Mr. Nixon and his ex-aides, possibly reflecting fear the aides might turn on him. Whatever the case, it ties Mr. Nixon to the Watergate future in potentially ominous ways.