

# 'Why Ask if He's Guilty?'

Satisfactory answers are yet to come, but President Nixon finally has got the question right.

"People have got to know whether or not their President is a crook," he told the 400 Associated Press editors in Florida. Naturally he didn't proceed to confess to a bill of high crimes and misdemeanors, saying instead, "I am not a crook."

But he was right on target when he said it is in the people's interest to know whether there is a crook in the White House.

It is this target that ought to be kept in mind while weighing conflicting testimony regarding the Nixon administration scandals. The advantage of keeping it in mind is that it helps to make sense of a lot of things.

For instance, if the question is: Am I a crook?, the answer, whatever the

facts may be, is: No, I'm not. If he is in fact innocent, he certainly is going to say that he's innocent. But if he's guilty as sin, he'll still say that he is innocent. The only way he could say otherwise would be in a speech of resignation. Or in a suicide note.

If you know what his answer must necessarily be, then it's pretty well pointless to ask him the question. It's equally pointless, of course, to have him ask it of himself as he has been doing for the past couple of weeks in an effort to restore his credibility which, like certain other items in the White House inventory, either is lost or never existed in the first place.

It is to his advantage, of course, to try to create the feeling that he is being newly candid without providing any new information. To some degree, the attempt seems to be succeeding.

Some of the AP editors, for instance, came away from Disney World saying their doubts concerning the President's credibility had been relieved.

But in the long run, it's hard to see how it can work. If he has information that would serve to establish his innocence, it would have been released long before now. If he had tapes that proved John Dean a liar and John Mitchell an honest civil servant, those tapes would long since be public knowledge.

On the other hand, if the documents and the tapes tended to disprove Richard Nixon's version of things, he would certainly resist any move to make them available.

Which, of course, is precisely what he has been doing, and which is why so many Americans take for granted that he is lying. It's very difficult not to believe that something funny is go-

ing on. First you have the President's flat refusal to furnish the tapes and other documents; then, when he is finally ordered by the courts (after an unsuccessful appeal) to produce them, two of the most important recordings turn out not to exist. And while an incredulous public is still laughing about that, it turns out that another significant tape is just whistlin' Dixie for 18 minutes.

A third of the supposedly crucial tapes have been eliminated. One expects to see any day now a newspaper headline reading: "And Then There Were None."

And this is just the tapes. There were presidential attempts to limit the scope of the Watergate investigation long before the world knew there were tapes, and the attempts continue even while the tapes are disappearing.

The President's problem is to make believable a series of muddy, incomplete explanations of White House interference in the investigation. What makes it so difficult a problem is that a much simpler explanation makes more sense. It all falls into place if you assume that the President is guilty

of most of the things he is suspected of, and that any major new disclosure would tend to point out his guilt. Assume that, and the business of blocking investigations and withholding documents and having tape recordings go sour or evaporate makes absolute sense.

But also, if you assume that, it's silly to demand that the President be candid with the people. A call for candor from a guilty man is really nothing more than a demand that he confess.

I'm not saying that the President is unequivocally guilty, although both the objective evidence and the evidence of his own behavior suggest that he is. What I am saying is that he is the wrong person to ask whether he is guilty.

Instead of debating presidential "candor," which apparently consists of seeming very earnest while divulging no information, we ought to be paying more attention to the other thing he said:

"People have got to know whether or not their President is a crook."

There are ways of finding out.