

Watergate

Aug. 29, 1972

"I can say categorically that . . . investigation indicates that no one in the White House staff, no one in this Administration, presently employed, was involved in this very bizarre incident."

April 17, 1973

"On March 21, as a result of serious charges which came to my attention . . . I began intensive new inquiries into this whole matter. . . . There have been major developments. . . . If any person in the executive branch or in the Government is indicted by the grand jury, my policy will be to immediately suspend him."



Revelations

The Scandal Reaches Ever Higher

WASHINGTON—The cool and faceless men of Richard M. Nixon's Washington, who had denied and ridiculed the threatening implications of Watergate for 10 months, became a group of sadly recognizable human beings last week—anxious men publicly struck with the simple fear of going to jail, of being treated as so many burglars and bagmen, of eating their meals off metal trays.

High government officials found themselves scrambling to establish their innocence, or relative innocence, of the damning scandal. The President himself last week took a new line on the affair. No one in "a position of major importance in the Administration," he said, would be immune from criminal prosecution. The scramble for position immediately turned more

public and frantic.

John N. Mitchell, who had once commanded the Justice Department, spent three hours being questioned by a Justice Department lawyer before a grand jury. John W. Dean 3d, who had investigated Watergate for the President, announced he would not be made a "scapegoat." Jeb Stuart Magruder, whose work for the President's landslide re-election had won him the job of supervising the inaugural, reportedly supplied a key piece of information in the investigation.

First it was disclosed that Mr. Magruder, the one-time White House assistant, had met at length with Federal prosecutors and had implicated Mr. Mitchell, and Mr. Dean, counsel to the President. Mr. Magruder was understood to have said that there had been a meeting at the Justice Department in February, 1972, with four men present: himself, Mr. Dean, Mr. Mitchell and G. Gordon Liddy, former general counsel for the Nixon political organization. Among other topics, they had talked over bugging the Watergate offices of the Democratic National Committee.

Mr. Magruder's statement was a crucial one. James W. McCord Jr., the security coordinator for the Committee for the Re-election of the President, who is one of seven men convicted in the plot, had only a few weeks ago quoted his fellow conspirator Liddy as having once informed him of a February session in Mr. Mitchell's office. But that is hearsay evidence, and Liddy is serving an extra prison term for contempt of court to avoid talking. McCord's allegations before a Senate committee that Messrs. Mitchell and Dean had authorized electronic surveillance had gone unconfirmed.

Mr. Magruder was reported ready to do the confirming. He does not expect immunity from prosecution, it was said, but one account noted that he hopes for "some sort of favorable treatment."

On Thursday, the day Mr. Magruder's revelations became known, Mr. Dean took the extraordinary step of bypassing the White House press apparatus and having his secretary read to the newspapers a statement warning that no one would succeed in making him "a scapegoat." "Anyone who believes this does not know me, know the true facts, nor understand our system of justice," the statement said.

About an hour later, Ronald L. Ziegler, the President's press secretary, rebuked the 34-year-old lawyer by asserting that "the process now under

way is not one to find scapegoats but one to get at the truth."

Mr. Ziegler administered other slaps. He reported that Mr. Dean was still in his office, but he added that he didn't know what Mr. Dean was doing there—"attending to business, I assume; business of some sort." Another source pronounced the attorney "isolated, cut off."

On Friday, sources close to the case reported that Mr. Dean had supervised cash payments of more than \$175,000 in Republican campaign funds to the seven Watergate defendants and their lawyers after the bugging. The payments were made to the defendants in return for their silence, the sources said. Mr. Dean's lawyer, Robert C. McCandless, said the report that Mr. Dean had supervised the payments was "absolutely untrue."

Until recently, the youthful Mr. Dean had been one of the obscure but trusted men of the Administration. It had been upon an investigation by Mr. Dean that the President was said to have based his statement last August that no one "presently employed" by the Administration had been involved in the conspiracy to wiretap Democratic telephones.

Mr. Dean might thus be vulnerable to a charge of misleading the President, but his friends have countered by suggesting that his oral report on the matter was not given directly to the President and may have been altered by Mr. Dean's superiors on the White House staff.

Mr. Dean's reaction to the Magruder allegations was quickly eclipsed by an abrupt turn in Mr. Mitchell's position. It became known on Friday that the former Attorney General had heard talk of bugging not at one meeting with Liddy and Mr. Magruder but at no fewer than three of them.

The President's confidant and former law partner, who had resigned as manager of the Nixon campaign two weeks after the Watergate break-in, has sought to create the impression in numerous statements that he was entirely unaware of any bugging.

But on Friday The New York Times reported Mr. Mitchell had told friends that Liddy and Mr. Magruder had advanced such an idea in January and February, while he was still Attorney General, and again in March, 1972. Mr. Dean was said to have been on hand for at least one of these sessions.

But contrary to Mr. Magruder's reported assertions, Mr. Mitchell told the friends that at each meeting he had flatly refused to countenance the plans. In confirming The Times's account in substance later, Mr. Mitchell said that what he had given was "just an absolute, final disapproval."

After an appearance of nearly three hours before a Federal grand jury here on Friday, Mr. Mitchell stood grim during a press conference in the

street. He again insisted that he first heard that eavesdropping had taken place only after it was broken on June 17. And he implied clearly that someone else was responsible for the repeated proposals to bug the Democratic headquarters. He always "cut off" the discussions, he said, "and I would like to know who it was that kept bringing them back and back and back."

Left unexplained was why Mr. Mitchell did not disclose the bugging proposals publicly after the Watergate plot was discovered. There was also the unanswered question: How could Mr. Mitchell, given his personal, professional and political relationship to the President, say nothing to him?

The week was full of less central allegations. There was additional infighting and political jockeying, further questions about the impact of the scandal on the Government, and a number of developments important to

future investigations by Congress and the courts.

The Democratic National Committee and Common Cause, the "citizens' lobby," decided to reject—for the time being at least—Republican offers to settle a series of civil law suits that could provide a vehicle for the disclosure of Watergate details and Nixon committee fund-raising practices.

Attorney General Richard K. Kleindienst withdrew from the Watergate case because it involves people with whom "I have had personal and professional relationships." The investigation will be handled by Assistant Attorney Henry E. Petersen, who will report directly to the President.

At the end of the week, President Nixon flew to the Florida White House for an Easter visit that will last a week. He did not talk with newsmen on his arrival, but Mr. Ziegler, the only aide to accompany the President, said Mr. Nixon had stressed to his Cabinet Friday morning that the objective of the Watergate investigation was to discover "the entire truth of the matter." —WALTER RUGABER

The Imponderable Question

WASHINGTON—The first suspects were people whom few had ever heard of, people with names like Liddy and McCord. Then, gradually, attention shifted to junior figures in the Administration.

But among most politicians, lawyers and journalists who have followed the bizarre twists and turns of the Watergate case for the past 10 months, there has been almost universal agreement that President Nixon could not have known about the bugging strategy in advance.

That near-certainty was based in part on Mr. Nixon's reputation for shrewdness (surely, he would have known that the risks far outweighed any possible gains); in part on the lack of evidence leading anywhere near the Oval Office (until this week, no high-ranking Presidential aides had been closely tied to the Watergate affair); and in part on a general disinclination to believe that any modern President could be involved in so sordid an episode.

No one in Washington is arguing in a loud voice, even now, that "Nixon did it." But the torrent of new information that has burst through the dike of silence has set many people to wondering how Mr. Nixon could not have known—if not before the act was committed, then at least a long time before he received new information, by his own account, late last month.

The President's friends argue, with considerable eloquence, that zealots in every campaign do many things

that the candidate does not know about, and that Mr. Nixon demonstrated his good faith last week by urging the prosecution on.

Furthermore, none of the testimony offered to the grand jury last week, and none of the information surreptitiously put out by suspects to save themselves and implicate others, touched the President.

But some of the information did raise questions, centering on two men who have had Mr. Nixon's trust:

John N. Mitchell. Mr. Mitchell testified that he had attended meetings where bugging was discussed but that he rejected the idea. It is hard to understand why he did not tell his old law partner, the President, about the meetings once the Watergate burglars were arrested and identified.

John W. Dean 3d. Mr. Dean has been identified by both Jeb Stuart Magruder and former Attorney General Mitchell as a participant at the meetings where bugging projects were discussed. He also conducted the President's first Watergate investigation in 1972. In his report, did he mention the earlier meetings? Did the President ever get the word?

Both Mr. Mitchell and Mr. Dean may have remained silent, of course; there is always a strong tendency to "protect the boss" from the worst news. But if they did, Mr. Nixon was cut off from information he badly needed at a crucial moment.

—R. W. A. Jr.

Pressure At the Top

WASHINGTON—"We have had our Cambodias before," President Nixon is reported to have told his Cabinet on Friday, apropos of the Watergate scandal. The unspoken implication: The Administration would survive this crisis, too.

But there are differences.

It is one thing to have a substantial segment of the public disagree with a policy, even to call it unconstitutional or immoral, as was the case with the Cambodian incursion of 1971. It is quite another to have the candor and integrity of an entire Administration called into question, and to have the question-mark hang in mid-air through a long series of indictments, hearings and trials. If Mr. Nixon cannot convince the nation that the Watergate case was an aberration, whose perpetrators he is eager to punish, he will be hard-put to govern. A king cannot rule if his people see a palace full of knaves and liars.

The break in the Watergate case comes, furthermore, at a time when Mr. Nixon faces other intractable problems—notably the disintegrating cease-fire in Indochina and the headlong pace of inflation—and his foreign-policy and electoral triumphs of last year are inevitably receding from view.

Many of these considerations must have been on the President's mind when he appeared on Tuesday before the White House press corps to promise testimony from his aides on Capitol Hill, full cooperation with the Watergate grand jury and no tolerance of concealment. He sought to retake the initiative by identifying himself with the prosecution, by asserting, indeed, that his own investigation had brought the key break in the case. (That break appears, in fact, to have come from the testimony of one of the convicted Watergate conspirators, James W. McCord.)

If there was a "smell" that needed to be got rid of, as Senator Barry Goldwater had suggested, the President proposed to lead the fumigation team. It was a radical departure from his past insistence that no one on his team had been tainted.

It will not be easy, this latest Nixon comeback, even if the President can convince the public that he really had no reason to believe, until late last month, that any of his aides had been involved in the Watergate episode—and that he was not simply abandon-

ing a cover-up operation that failed.

The pressures on the President to act came in many forms. A Gallup Poll published today, of which he reportedly had advance word, shows his approval rating down 14 points since late January. There was grumbling from within the White House. Local politicians around the country, looking toward 1974, reported that the party was suffering.

But perhaps the most important development was the mounting criticism from Mr. Nixon's partisan and ideological allies, typified by Senator Goldwater. According to one former Presidential aide, the defection of James Jackson Kilpatrick, the conservative columnist, was felt keenly at the White House.

Mr. Nixon retreated abruptly on the question of executive privilege, which is one measure of how seriously he took the situation. Although he carefully stated that he had no intention of setting a precedent, he has set one by permitting his aides to testify on Watergate.

It is not clear what role the Senate Investigation Committee will now play; that will depend on how thoroughly

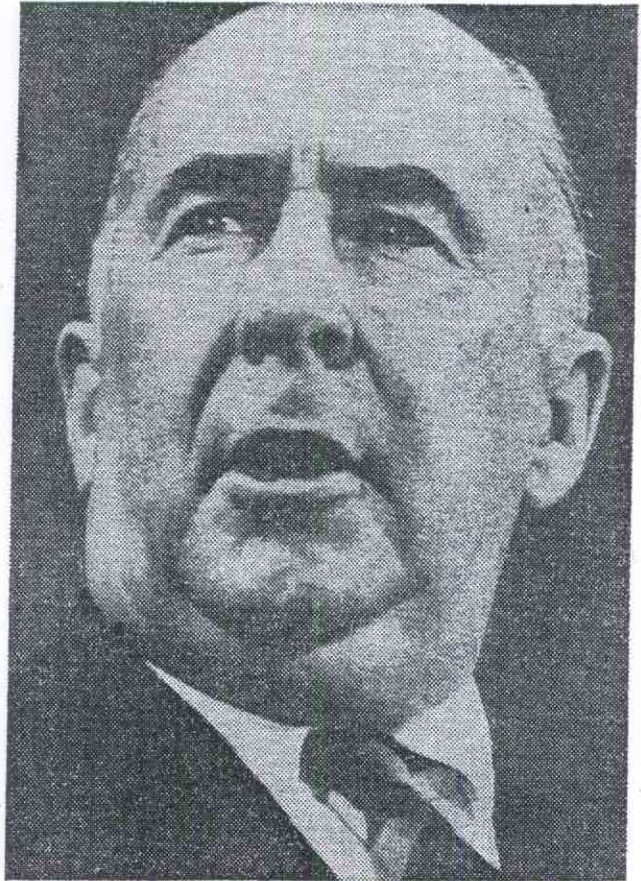
the grand jury investigates and how wide-ranging are its indictments. In any event, however, the Senate hearings (which may now be delayed) will range more broadly over the whole question of campaign spying and sabotage.

By abandoning his previous argument that no White House staff members were involved in the case, the President has spared himself the embarrassment of being contradicted by grand jury indictments. But, unless all the evidence to date is misleading, there is no way for him to escape from an accusation that he surrounded himself with untrustworthy people—and, perhaps more damaging, took 10 months to find them out.

John N. Mitchell was the chief legal officer of the nation and a kind of surrogate father to the President; he has been told that he may be indicted. John W. Dean 3d was Mr. Nixon's official lawyer, the man who conducted the President's initial investigation; the White House has, by abandoning him, created suspicion that he, too, will be indicted. H. R. Halde- man is the President's chief aide, and Mr. Dean is reportedly ready to im-



John W. Dean 3d



John N. Mitchell

plicate him in the Watergate scandal. It is not possible to get much closer to the Oval Office.

The White House staff is already demoralized, fearful, distracted from its work. As one junior aide put it last week, "You hire a lawyer and run for cover." The staff will have to be reconstituted, and resignations are inevitable.

It is much too early to say what effect all of this will have on 1974 and 1976. Mr. Nixon remains a determined, resourceful man with great goals—the reshaping of domestic social policy, continuing détente with the Soviet Union and China, the preservation of a non-Communist Indochina. That he erred in waiting so long to act in the Watergate case does not necessarily mean he will fail elsewhere.

But the price of the error will be high. No matter what it may have accomplished or may accomplish in the future, the Nixon Administration will be linked down through the decades with the Watergate case as certainly as the Harding Administration is linked with Teapot Dome.

—R. W. APPLE JR.