



TIME

Nixon's Gamble

Nobody is a friend of ours

I am being the devil's advocate

You could get a million dollars

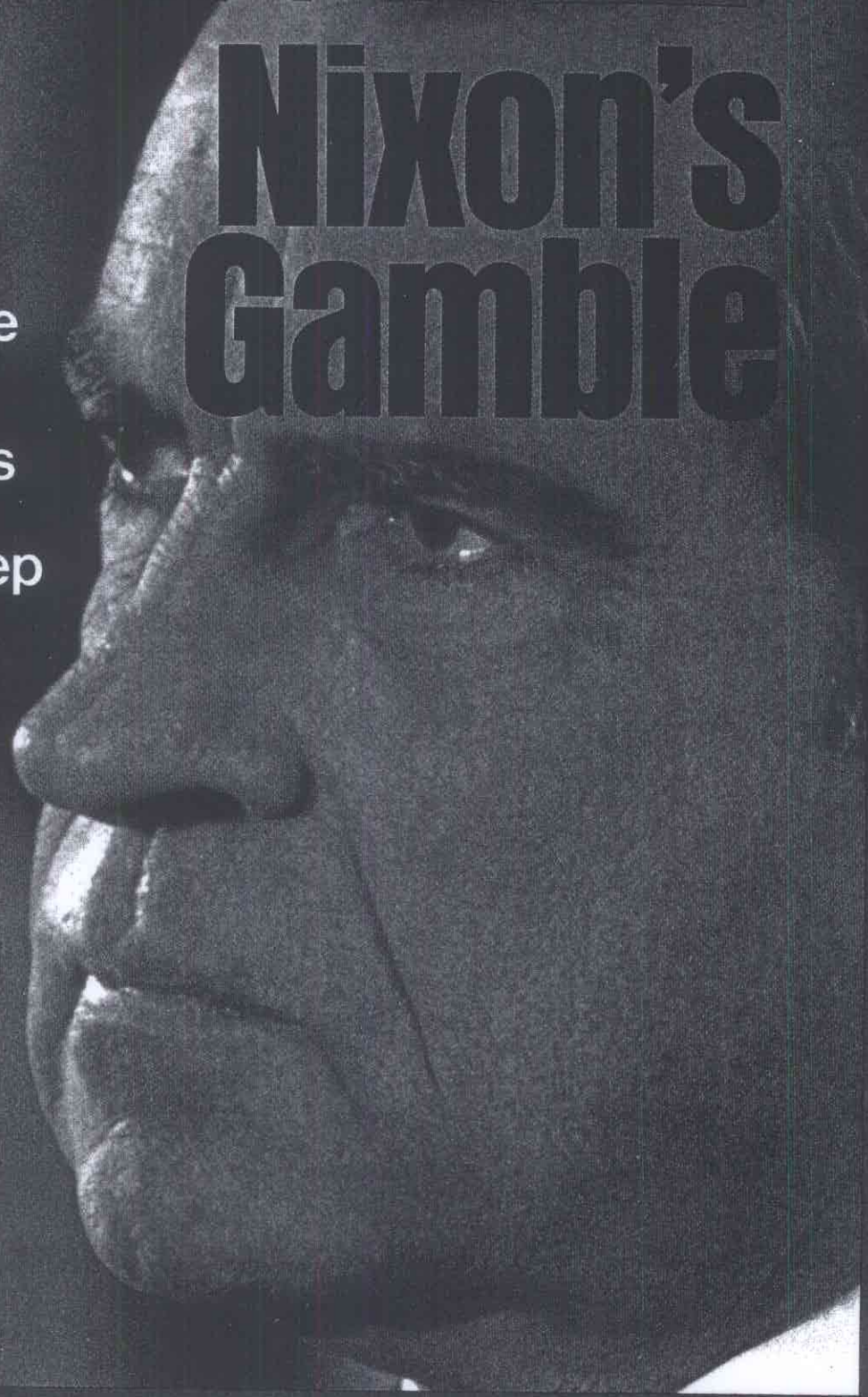
...have to keep cap
...the bottle

...can say, 't recall

... (expletive
...ved)

...don't hold anything back

JE 75 HIS 9908H9T52 17 01
HAROLD WEISBERG
RT 8 BX 304
FREDERICK MD 21701





MCMANUS (STANDING, RIGHT) WITH NATION TRANSCRIPT CREW

A LETTER FROM THE PUBLISHER

To sift and analyze President Nixon's edited Watergate tape transcripts, TIME, like the rest of the press, had a tall order. Nation Senior Editor Jason McManus and Washington Bureau News Editor John Stacks assigned nearly two dozen staffers to the job.

In New York City ten copies of the transcripts—each 7 in. thick and weighing 6 lbs.—greeted five teams of Nation writers and reporter-researchers as they arrived at work Wednesday. One team compiled the narrative portion of this week's cover stories, while two others began a thorough analysis of the conversations, comparing them with known testimony. A fourth pair read every page, studying the mood and style of the White House under fire. The fifth group looked at the roles of selected Watergate protagonists.

Meanwhile, six correspondents in Washington divided the material so that each could examine roughly 200 pages. Four others, including Bureau Chief Hugh Sidey, used the transcripts for additional aspects of last week's assignments. Reports Stacks: "Nobody feels he can do his job without reading these transcripts line by line. We have been covering Watergate for two years, and now for the first time we have some of Nixon's own pieces of evidence."

SIDEY (STANDING, REAR) WITH WASHINGTON BUREAU TEAM



Ralph P. Davidson

INDEX

SPECIAL SECTION:

Khrushchev's Memoirs...56

Cover Stories...10	Law...93	People...69
Color...51	Letters...4	Press...82
Books...113	Medicine...64	Science...87
Economy	Milestones...100	Sexes...79
& Business...105	Modern Living...72	Show Business
Education...117	Nation...10	& TV...96
		World...40

The Cover: Photograph by Dirck Halstead.

TIME is published weekly, \$16.00 per year, by Time Inc., 541 N. Fairbanks Court, Chicago, Ill. 60611. Principal office: Rockefeller Center, New York, N.Y. 10020. James R. Shepley, President; Clifford J. Grum, Treasurer; Charles B. Bear, Secretary. Second class postage paid at Chicago, Ill., and at additional mailing offices. Vol. 103 No. 19 © 1974 Time Inc. All rights reserved. Reproduction in whole or in part without written permission is prohibited.

TIME

THE WEEKLY NEWSMAGAZINE

Founders: BRITON HADDEN 1898-1929
HENRY R. LUCE 1898-1967

Editor-in-Chief: Hedley Donovan
Chairman of the Board: Andrew Heiskell
President: James R. Shepley
Group Vice President, Magazines: Arthur W. Keylor
Vice Chairman: Roy E. Larsen

MANAGING EDITOR

Henry Anatole Grunwald

ASSISTANT MANAGING EDITORS

Murray J. Gart, Edward L. Jamieson, Richard M. Seamon

SENIOR EDITORS: Laurence I. Barrett, Ruth Brine, Clell Bryant, George J. Church, John T. Elson, Timothy Foote, Otto Friedrich, Leon Jaroff, Ronald P. Kriss, Marshall Loeb, Jason McManus, Donald Neff.

Diplomatic Editor: Jerrold L. Schecter

International Editor: R. Edward Jackson

European Editor: Jesse L. Birnbaum. Associate: Curtis Prendergast.

ASSOCIATE EDITORS: James Atwater, William Andersen, Richard Bernstein, Gerald Clarke, Jay Cocks, Spencer Davidson, Michael Demarest, William R. Doerner, Martha M. Duffy, Jose M. Ferrer III, Frederic Golden, James Grant, Philip Herrera, Robert Hughes, Geoffrey James, Timothy M. James, T.E. Kalem, Stefan Kanfer, Ed Magnuson, Frank B. Merrick, Mayo Mohs, Lance Morrow, Burton Pines, R.Z. Sheppard, William E. Smith, Peter Stoler, Edwin G. Warner.

CONTRIBUTING EDITORS: Christopher P. Andersen, Richard Bernstein, Patricia Blake, Andrea Chambers, Joan Downs, Judy Foyard, Neil D. Gluckin, Paul Gray, Marguerite Johnson, Jack Kramer, Bob McCabe, Gina Mallet, Donald M. Morrison, Mark Nichols, Frederick Painton, Clare M. Rosen, Philip Taubman, Mark Vishniak, Ivan Webster, Jack E. White, Roger Wolmuth.

REPORTER-RESEARCHERS: Marylois Purdy Vega (Chief), Nancy I. Williams (Deputy)

Department Heads: Maria Luisa Cisneros (Letters), Rosalind Halvorsen, Dorothy Haystead, Ursula Nadosdy, Raissa Silverman.

Senior Staff: Priscilla B. Badger, Audrey Ball, Patricia Beckert, Jean Bergerud, Peggy T. Berman, Margaret G. Boeh, Nancy McD. Chase, Anne Constable, Maria Fitzgerald Dorion, Gail Eisen, Robert L. Goldstein, Leah Shanks Gordon, Patricia N. Gordon, Harriet Heck, Anne Hopkins, Marion Knox, Sara C. Medina, Nancy Newman, Sue Rafferty, Betty Suyker, F. Sydnor Vanderschmidt, Rosemarie T. Zadikov.

Susan Altschek, Sarah Bedell, Sarah Button, Diana Crosbie, Rosamond Draper, Georgia Harbison, Amanda MacIntosh, Gaye McIntosh, Nancy McMorris, Alexandra Mezey, Brigid O'Hara-Forster, Hilary Ostler, Victoria Sales, Susan M. Reed, Alexandra Henderson Rich, Jay Rosenstein, Bonita Siverd, Anna Sznajder, Zana Sparks, Mary Thurn, Cassie Thompson, Edward Tivnan, Jean M. Vallely, Susanne S. Washburn, Genevieve Wilson, Paul A. Witteman, Linda Young.

CORRESPONDENTS: Murray J. Gart (Chief), Benjamin W. Cate (Deputy)

Senior Correspondent: John L. Steele

Washington: Hugh Sidey, John F. Stacks, Bonnie Angelo, David Beckwith, John M. Berry, Stanley W. Cloud, Walter Bennett, Jess Cook, Simmons Ferriss, Dean E. Fischer, Hays Gorey, Jerry Haffin, Samuel R. Iker, Joseph J. Kane, Neil MacNeil, John Mulliken, Sandy Smith, Mark Sullivan, Arthur White.

Chicago: Gregory H. Wierzynski, Marguerite Michaels, Madeleine Nash, Barrett Seaman, Richard Woodbury. Los Angeles: Richard L. Duncan, Patricia Delaney, David DeVoss, Roland Flamini, Leo Janos, John L. Wilhelm.

New York: Marsh Clark, Marcia Gauger, Mary Cronin, Charles R. Eisen-draht, Richard N. Ostling, Eileen Shields, Don Sider, Stanley W. Stillman, John Tompkins, James Willwerth. Atlanta: James Bell, David C. Lee. Boston: Sandra Burton, Elizabeth Frappollo, Ruth Mehrtens Galvin, David Wood. Detroit: Edwin M. Reingold, K.L. Huff. San Francisco: Joseph N. Boyce, John J. Austin. United Nations: Lansing Lamont.

Europe: William Rodemoekers, David B. Tinnin, Robert Parker. London: John M. Scott, Lawrence Malkin, William McWhirter. Paris: Roger Beardwood, Paul Ress, George Taber. Bonn: Bruce W. Nelson, Gisela Balte, Christopher Byron. Brussels: Henry Muller. Rome: Jordan Bontante. Jerusalem: William F. Marmon Jr., Marlin Levin. Eastern Europe: Strobe Talbott. Beirut: Karsten Prager, William Stewart. Cairo: Wilton Wynn. Moscow: John Shaw. Hong Kong: Roy Rowan, David Aikman, Bing W. Wong. Saigon: Gavin Scott, Pham Xuan An. Nairobi: Lee Griggs, Eric Robins. New Delhi: James Shepherd. Tokyo: Herman Nickel, S. Chang, Frank Iwama. Melbourne: John Dunn.

Canada: B. William Mader, Peter Rehak (Ottawa), James Wilde (National Corr.), Robert Lewis (Toronto), John Blashill (Montreal), Ed Ogle (Vancouver). Buenos Aires: Rudolph S. Rauch III. Rio de Janeiro: Barry Hillenbrand. Mexico City: Bernard Diederich.

News Desks: Rosemary Byrnes, Susan Lynd. Cable Desk: Minnie Magazine, Al Somers Buisi. Administration: Emily Friedrich, Penny Marshall.

OPERATIONS MANAGER: Eugene F. Coyle; Mary Ellen Simon (Deputy)

PRODUCTION: Charles P. Jackson (Makeup Editor); John M. Cavanagh (Deputy); Manuel Delgado, Agustin Lamboy, Austin Metzke, Leonard Schulman. Computer Composition: Robert W. Boyd Jr.

ART DEPARTMENT: David Merrill (Acting Art Director), Arturo Cazeneuve (Assistant Art Director), Rosemary L. Frank (Covers). Layout Staff: Burjar Nargolwala, John F. Geist, Anthony J. Libardi, Alan Washburn, Michael C. Witte. Maps and Charts: Joseph Arnon. Map Researchers: Adrienne Jucius, Isabel Lenkiewicz.

PHOTOGRAPHY: John Durniak (Picture Editor); Arnold H. Drapkin (Color Editor); Michele Stephenson (Assistant Picture Editor). Picture Researchers: Eileen Merrin, Alice Rose George, Francine M. Hyland, Antoinette Mellillo, Rita Quinn, Suzanne Richie, Carol Saner, Nancy L. Smith, Elizabeth Stotler.

COPY DESK: Harriet Bachman (Chief), Sue Aitkin, Frances Bander, Madeline Butler, Anne Davis, Susan Hahn, Katherine Mihok, Emily Mitchell, Shirley Zimmerman.

EDITORIAL SERVICES: Paul Welch (Director), Norman Airey, George Karas, Benjamin Lightman, Doris O'Neil, Carolyn R. Pappas.

PUBLISHER

Ralph P. Davidson

General Manager: Donald J. Barr

Assistant Publisher: Lane Fortinberry

Circulation Director: George S. Wiedemann III

Business Manager: Donald L. Spurde

ADVERTISING SALES DIRECTOR

Reginald K. Brack Jr.

U.S. Advertising Sales Director: Garey T. Symington

Associate U.S. Advertising Sales Director: Kenneth E. Clarke



NOISY DEMONSTRATORS TAUNTING THE PRESIDENT AS HE LEAVES THE 1974 EXPOSITION IN SPOKANE, WASH.
After a brief suspended judgment, the severity of his difficulties seeped across the nation.

found "strong evidence" in the transcripts that Nixon was guilty of inducing his aides to commit perjury and of obstructing justice—both indictable crimes and therefore impeachable offenses by Nixon's own definition. Kurland added: "I can't find either ambiguity or any evidence which tends to exonerate him." Dean Michael Sovern of Columbia University Law School looked closely at the transcript for the crucial March 21, 1973, meeting at which, Nixon later said, he learned for the first time that White House aides were deeply enmeshed in Watergate. Sovern concluded: "In context, the transcript would support a prima facie case for impeachment." One former high Nixon Administration official said bluntly and bitterly that the President's impeachment was now guaranteed, adding: "If I were Pete Rodino [Judiciary Committee chairman], I'd say we don't need anything else. I'd say thank you, Mr. President—and *adios*."

The President in his speech and St. Clair in his brief attempted to defend Nixon in some—but not all—of the most potentially damaging areas of evidence presented in the transcripts. An analysis of their contentions and of the transcript evidence in three key areas:

When did the President learn of the cover-up? John Dean testified to the Senate Watergate committee that he inferred that Nixon was "fully aware" of the effort to hide White House staff involvement in the Watergate break-in as early as Sept. 15, 1972. Nixon and St. Clair argue that the President learned of the cover-up only on March 21, 1973, when Dean told him. They point out that Dean, after all, himself requested the meeting to lay out for the President all the facts of the cover-up. They cite that in the process of doing so, Dean

said: "I can just tell from our conversation that these are things you can have no knowledge of."

There may well have been many aspects of the cover-up that Nixon had no knowledge of until Dean spelled out the chapter and verse on March 21. But the transcripts before indicate he certainly had knowledge that more than just the seven men indicted on Sept. 15 were involved, and that in at least one instance, that of White House Aide Gordon Strachan, a member of his staff had twice lied to federal investigators in denying knowing about the break-in and was prepared to lie again before the Senate Watergate committee. Dean told Nixon of that on March 13, and Nixon agreed that committing the perjury was probably a good idea: "I guess he should have, shouldn't he?" The exchange even led Nixon to wonder whether Strachan might have informed White House Chief of Staff H.R. ("Bob") Haldeman of the cover-up.

On learning of the cover-up, what did the President do? The operation that Dean described to the President on March 21 constituted a criminal conspiracy to obstruct justice. By law, any citizen must report the discovery of a crime at once. In his speech, Nixon asserted that "after March 21, my actions were directed toward finding the facts and seeing that justice was done fairly and according to the law."

But he also admitted that, in trying to decide what to do, he was motivated by more than simple considerations of justice and law. He was concerned for "close advisers, valued friends" who might be involved, the "human impact on . . . some of the young people and their families," and "quite frankly," the "political implications." He said: "I wanted to do what was right. But I want-

ed to do it in a way that would cause the least unnecessary damage in a highly charged political atmosphere to the Administration."

However laudatory or understandable in human terms, those motives might not hold up in a court of law—or an impeachment proceeding. They do not really explain why, having learned of evident crimes from Dean on March 21, it was not until April 16 that Nixon finally discussed with his Attorney General his knowledge of probable crimes by White House aides. That conversation was initiated by Richard Kleindienst, then Attorney General. Moreover, the evidence of the transcripts (*see excerpts beginning page 20*) shows time and again a President torn between trying to let the truth come out and then agreeing to some fresh device or attempt to avoid just that. His disclosures on April 16 seem to have come only because so many of the conspirators were talking to the Watergate prosecutors. Clearly, the cover-up was going to be exploded with or without his acting. When he learned that Jeb Stuart Magruder, deputy director of the Committee for the Re-Election of the President, had gone to the prosecutors and changed his earlier perjured story, Nixon asked almost pathetically: "What got Magruder to talk? I want to take the credit for that."

Did Nixon order the payment of hush money to E. Howard Hunt? One of the reasons that Dean laid out the cover-up for Nixon on March 21 was that at least one of the jailed Watergate seven was escalating his money demand for keeping silent. The immediate problem was a fresh request for \$120,000 by Hunt, the CIA alumnus and White House consultant who had pleaded guilty to break-in and bugging charges. Dean did not know how to meet the urgent request. Hunt

was threatening to tell about some of his pre-Watergate clandestine activities for the White House, including the burglary of the office of Daniel Ellsberg's psychiatrist. (Ellsberg was the man who released the secret Pentagon papers on the Viet Nam War.) Authorizing or paying such money is, of course, a crime.

In his speech, Nixon said: "I returned several times to the immediate problem posed by Mr. Hunt's blackmail threat, which to me was not a Watergate problem but one which I regarded, rightly or wrongly, as a potential national security problem of very serious proportions."

Little Choice. "I considered long and hard whether it might in fact be better to let it go forward, at least temporarily, in the hope that this national security matter would not be exposed in the course of uncovering the Watergate cover-up. I believed then and I believe today that I had a responsibility as President to consider every option, including this one, where protection of sensitive national security matters was at stake.

"In the course of considering it and of just thinking out loud, as I put it at one point, I several times suggested that meeting Hunt's demands might be necessary... [but] my conclusion at the end of the meeting was clear. And my actions and reactions... show clearly that I did not intend the further payment to Hunt or anyone else be made."

The evidence in the transcripts seems far less ambiguous than the President has suggested. The last time the President raises the Hunt money prob-

lem, he says: "That's why for your immediate things you have no choice but to come up with the \$120,000, or whatever it is. Right?" Dean replies: "That's right." And Nixon says: "Would you agree that that's the prime thing that you damn well better get that done?" To which Dean says: "Obviously he ought to be given some signal anyway." And the President says: "[Expletive deleted] Get it."

That same night, according to a Watergate grand jury, Hunt was given \$75,000, and in the subsequent discussions in the White House all anxiety about Hunt's blackmail vanished. The subject did not come up again until much later, when the cover-up was collapsing.

Given the enormous hazards for Nixon in the transcripts, it seemed baffling that he released them at all. He may have felt that he had little choice. Having resolved not to turn over the tapes to the Judiciary Committee, he had to make some extraordinary gesture to avoid almost certain impeachment for defying Congress. He pondered the move all the previous weekend in the privacy of Camp David. Then, Sunday afternoon, he learned that former Attorney General John Mitchell and former Secretary of Commerce Maurice Stans had been acquitted in New York City of charges of perjury, obstruction of justice and conspiracy. The welcome news may have convinced Nixon that at last things were looking up. That same weekend he decided to release the transcripts.

According to aides, he reasoned that the move would end the spiraling de-

mands of the committee—as well as those of Special Watergate Prosecutor Leon Jaworski—for more tapes. Explained one presidential adviser: "We felt a growing concern that it was becoming a test of manhood between the two branches. We decided this might be a way to defuse that feeling." In addition, aides reported, the President saw disclosure as a way of repairing his damaged credibility. Said St. Clair: "People were getting more and more imbued with the idea that the President had something to hide."

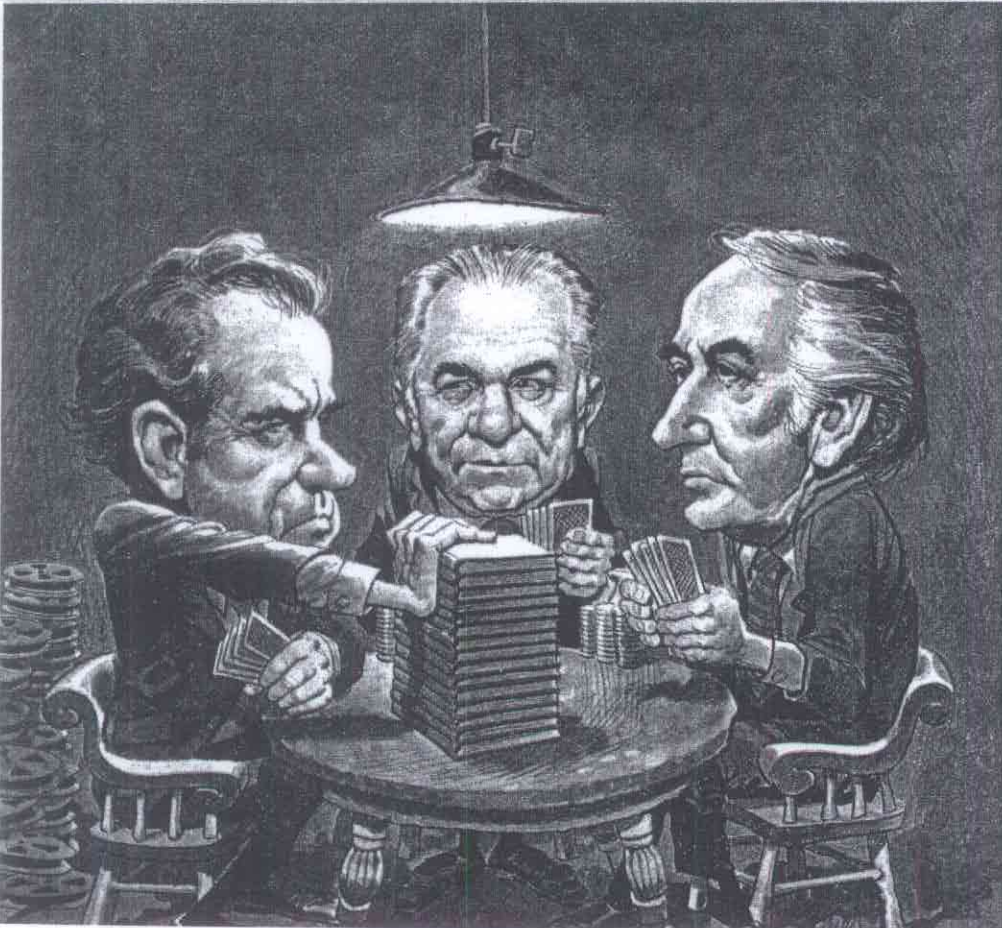
Touchdown Cheers. Nixon had already spent many hours reviewing the transcripts, which a staff of secretaries and lawyers, headed by White House Special Counsel J. Fred Buzhardt, had been painstakingly preparing since mid-March. After the secretaries transcribed each tape, it was gone over by Buzhardt and his assistants, who marked proposed deletions of irrelevancies, national security matters and profanity. But the final editor was Nixon. "As far as I know," Buzhardt said, "he read the entire package, and he had the final say on it all." About three dozen passages were marked "Material not related to presidential actions deleted." Buzhardt explained: "These were sections that had no relation to what he did or knew. Other people came into the room. He was interrupted by a telephone call. Other topics were discussed."

At first—before what was in the transcripts became widely known—the Nixon counteroffensive brought joy to the Republicans. Supporters looked on the offer of transcripts as the evidence of innocence they had been begging the President for months to release. Washington Governor Dan Evans said that he felt "like a football fan cheering on the home team. I think the President threw a touchdown pass." The Richmond (Va.) *News Leader* exulted: "This is an immensely happy development. For the first time, those who want to support the President—those who have clung to vestiges of hope that he was not involved—have something tangible."

There was much negative reaction as well, centered mostly on the fact that the President was not obeying the law by complying fully with the subpoena. The Gallup poll surveyed some 700 adults by telephone following Nixon's speech and found that it had left 17% with a more favorable opinion of Nixon but 42% with a less favorable view. By 44% to 41%, those interviewed said that they thought there was now enough evidence for the House to impeach the President, though by 49% to 38% they said Nixon's actions were not serious enough to justify the Senate's removing him from office. A survey conducted earlier for TIME by Daniel Yankelovich, Inc., found that 55% of Americans wanted Nixon to resign or be impeached, up from 39% in November (see story page 19).

Members of the House Judiciary

CARTOON FOR TIME BY JACK DAVIS

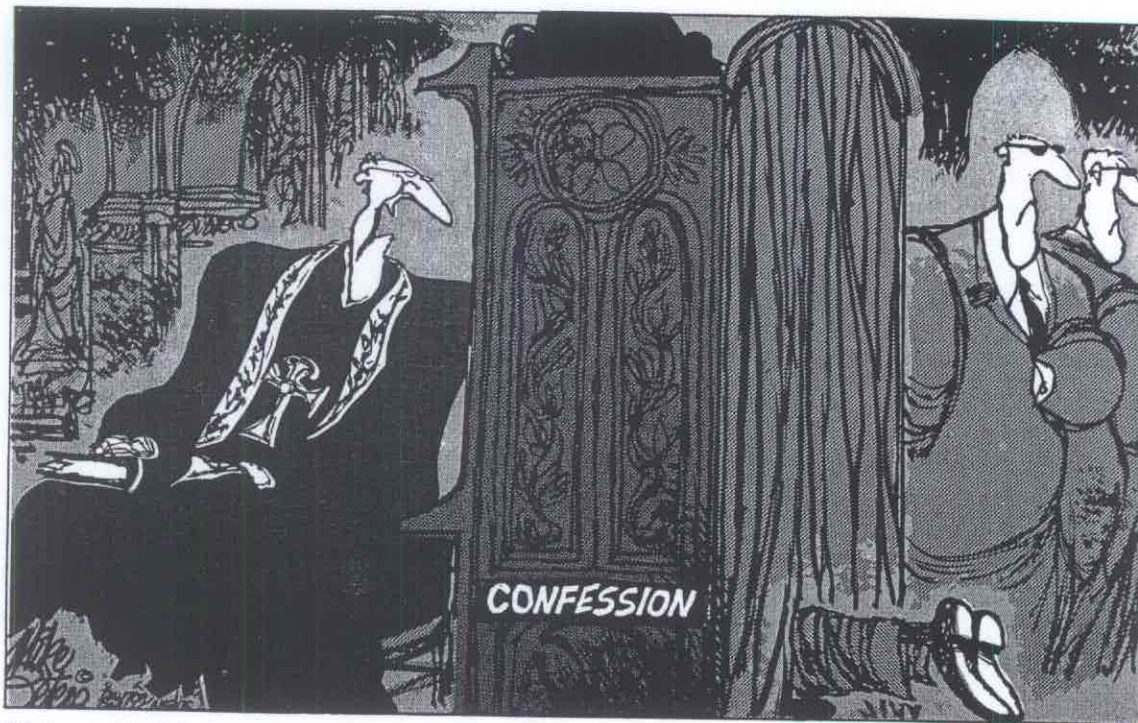


Committee agreed that Nixon had not satisfactorily met the terms of their subpoena. They also resented the fact that he had replied to it with a public speech. Democrat John F. Seiberling of Ohio complained: "To respond to a lawful subpoena by going on television was not a decent thing to do." But the committee members split over what their reaction should be. Republicans urged another attempt at negotiation. Michigan Congressman Edward Hutchinson, the committee's ranking Republican, argued: "In our system of government, it was never contemplated that the separate branches should confront each other. It should be avoided at all costs." A few Democratic liberals wanted Nixon cited for contempt of Congress.

Chairman Rodino, however, wanted to avoid the question of contempt to keep the committee from splitting irrevocably on partisan grounds. In a rare night session, he persuaded the members to approve a letter that mildly chastised the President by advising him that his delivery of edited transcripts instead of tapes "failed to comply" with the committee's subpoena. Even on that relatively innocuous rejoinder, the committee split 20-18, by party (although two Democrats and one Republican crossed party lines). But Rodino had succeeded in keeping the committee from being diverted from the hearings on Nixon's impeachment that it will open this week.

Dropped Words. The first few sessions, in which the committee staff will summarize the evidence it has collected, will be closed. But, partly in anger at Nixon's use of television, the committee voted unanimously to allow the rest of the hearings, which are expected to last about six weeks, to be televised. In addition, the committee granted Lawyer St. Clair the right to question and call witnesses. Mindful of his reputation as a brilliant courtroom tactician, the committee also granted Rodino stringent powers to shut off St. Clair if necessary to stop him from obstructing the proceedings or filibustering.

During the meeting, Committee Counsel John Doar disclosed that some of the transcripts released by Nixon "are not accurate," though they were apparently not intentionally altered. He explained that the committee staff had made transcripts of the seven tapes that had been given to it by Special Prosecutor Jaworski. When comparing them with the White House documents, they found that the Administration's transcribers had dropped out certain words and identified as "unintelligible" some segments that the committee staff found



"Sorry, sir, but I don't accept edited transcripts . . ."

intelligible. Doar blamed other differences on the White House's inferior playback equipment and inattention by the people who operated it. Jaworski's staff found similar discrepancies between tapes and transcripts.

Indeed, so many notations of "unintelligible" occur at critical points on the transcripts that suspicions inevitably arose that some of the missing portions were intentionally left out. For example, in discussing the possibility of offering clemency to Howard Hunt, Nixon apparently had a precedent in mind, but the transcript for that meeting on March 21, 1973, quotes the President as telling Dean: "The only thing we could do with him would be to parole him like the [unintelligible] situation." Again, the transcript for an April 17, 1973, meeting has Nixon saying to Haldeman, John Ehrlichman and Ronald Ziegler: "Damn it, John Dean's highly sensitive information was on only one count. Believe me guys, we all know—well—the [unintelligible] stuff regarding Bob." ("Bob" is Haldeman.)

The gaps and discrepancies were one reason why investigators insisted that they needed the tapes. Only a study by experts of the tapes themselves can set to rest any suspicions that they have been cut, erased or otherwise violated. There were other reasons as well. Explained one expert who has heard the tapes that are in the Special Prosecutor's possession: "The tapes themselves give the mood, the anxiety, the attitudes. Some of them reflect people banging on the tables, moving from here to there, raising voices. On that March 21 tape, Dean sounds as if he's pleading with the President. That doesn't come through at all on the transcript."

Once out, several newspapers published all the transcripts; most others ran

extensive excerpts (see THE PRESS). Broadcast journalists read lengthy passages. The transcripts, sold by the Government Printing Office at \$12.25 a copy, moved briskly. In Washington, the GPO at first had only 792 copies, which it sold in less than four hours, but thousands more were being printed. In addition, three publishers planned to have paperback books containing the complete transcripts on sale this week.

The initial favorable reaction to Nixon's gambit quickly dissipated as the transcripts became available. A case in point was the Los Angeles Times. On Tuesday morning, it felt that Nixon had "taken a giant step toward resolving the controversy over his relationship to the Watergate crimes." By Thursday, its editors had studied the transcripts and found that "the President and his chief aides seem, time and again, more concerned with self-serving manipulation and control of evidence than with the open and full pursuit of justice."

Changed Mood. There was a similar evolution of opinion among Congressmen, particularly Republicans. On Tuesday, they lined up to praise Nixon from the floor of the House. After a day of reading, however, the Republican mood began to change. As Democratic Leader Thomas P. ("Tip") O'Neill of Massachusetts noted, on Wednesday "not one man took the floor" to laud Nixon. In fact, many Republicans were profoundly shaken by what they learned. Conservative Republican Congressman H.R. Gross of Iowa concluded that the documents "do prove conclusively that Mr. Nixon made many misleading statements to the American people on his knowledge of the Watergate cover-up." Gross also found "an amazing lack of ethical sensitivity in the office of the presidency." Similarly, Re-

THE PRESIDENCY/HUGH SIDAY

Violation of the Public Trust

The men who have served in the inner councils of American Presidents form a special fraternity. They may depart from Washington, but they never quite leave the White House. Their lives are forever influenced by their interlude of power and flavored by their reminiscences.

Last week these men, from as far back as Franklin Roosevelt's era, were in a collective state of shock as they pored over the transcripts of Richard Nixon's Watergate conversations. They found it inconceivable that a President of the U.S. would lead discussions in the Oval Office about breaking the law, destroying his own men, corrupting the Government's agencies.

There may have been times over these past 200 years when a President has had dark thoughts—and perhaps questionable conversations—about how to counter his opponents and to lift himself out of crises. But there is a body of bipartisan opinion among the men around former Chief Executives that the presidency has never before experienced such a squalid episode.

"Ike wouldn't have understood what they were talking about," says former Speech Writer Emmet Hughes. "Anybody who would have engaged in even a 60-second exchange like those would have been thrown out."

"I used to listen to Franklin Roosevelt talk about his problems," recalls former Administrative Assistant Jim Rowe, "but there was never anything like this."

Wily Lyndon Johnson once ordered an aide to send a handsome young staff member out to appeal to a lady legislator for her support. "Let nature take its course," the President suggested. Johnson used all of his persuasive powers and sometimes threatened economic retaliation and the hot breath of the Lord on his detractors, "but he never suggested in any way that the law should be broken," says his former aide, Joe Califano. "In fact, no matter what we did, Johnson wanted a legal opinion to be sure it was O.K. with the law."

Clark Clifford, an adviser to several Presidents, remembers that "on Truman's desk was the famous sign 'The Buck Stops Here,' and there was another sign quoting Mark Twain: 'Always do right. This will gratify some people and astonish the rest.' That is what Mr. Truman did." Clifford can still hear the ring of Truman's voice in 1948 when his Gallup was at 36%, and he was told he faced certain political defeat unless he changed his stance on civil rights to woo the South. "I am not going to change one single policy," said Truman. End of discussion.

After the Bay of Pigs, Ted Sorensen, John Kennedy's counsel, gave a backgrounder to newsmen pointing out that the operation had begun under Eisenhower and was carried out by holdovers. It was one of the few times that Sorensen irritated Kennedy. "Don't do that," he rasped. "We made this mistake." Before the successful conclusion of the Cuban missile crisis in 1962, Kennedy was certain that his failure to heed the early warnings from Republicans such as Homer Capehart and Kenneth Keating about the missiles would bring Democratic defeats in the fall. Some aides wanted to deprecate the Republicans, but Kennedy refused. "Capehart," he told Sorensen, "is the Winston Churchill of our time."

Earlier Presidents have acted quickly to fire erring aides. Truman brought in Newbold Morris to clean up the Department of Justice. But Attorney General J. Howard McGrath, one of Truman's friends, would not cooperate, and after two months fired Morris. That same day Truman fired McGrath.

Eisenhower never knew the whole story of Sherman Adams. But when Meade Alcorn, the Republican national chairman, came to his office and said Republican leaders were demanding "the Adams mess" be cleaned up, Ike accepted the verdict. He told Alcorn to tell Adams he must go.

In the White House last week they were most worried that all the swear words that Nixon used would upset a lot of Americans who thought he rarely cussed. That concern is really almost meaningless in the current context. What produces despair is that men given the responsibility for doing so much for this nation would spend so much time and energy contemplating the violation of that trust.

Republican Senator Robert W. Packwood of Oregon said that he considered Nixon's view of Government "rather frightening" because "there are not even any token clichés about what is good for the people." Senator Robert Dole of Kansas, former head of the Republican National Committee, was asked by a reporter if he would want the President in his state during his campaign for reelection. Replied Dole: "Sure. Let him fly over any time."

On the Democratic side, Party Chairman Robert S. Strauss said: "I've seen just about everything. But this reading of these tapes has upset me more than anything else in my life. I told my wife over the third martini last night, I'm embarrassed to have our kids read this and think it's part of the life I'm in." Democratic Congressman Morris K. Udall of Arizona made a pitch for politicians in general, saying: "They deserve better than to be branded with the cynical iron that has marked the burglars, buggers and influence peddlers of this Administration."

Both Nixon and St. Clair regarded the transcripts as seriously compromising John Dean, the President's chief accuser at the Senate Watergate Committee hearings. Earlier, White House aides had welcomed the not guilty verdicts for Mitchell and Stans as evidence that Dean was no longer credible. Dean was one of 59 witnesses at the trial of the former Cabinet members. Both had been charged with nine counts of perjury, obstruction of justice and conspiracy to hinder an investigation of financier Robert Vesco's tangled affairs in exchange for a secret \$200,000 cash contribution to Nixon's 1972 campaign. But the jury found them not guilty on all counts.

Dean Under Fire. Some jurors found Dean to be an impressive witness during his testimony, which bore on three of the perjury counts against Mitchell. But they were put off by his admission that he was awaiting sentencing for his confession of guilt on conspiracy to obstruct justice in the Watergate cover-up. Moreover, they were unsettled by the fact that he admitted under cross-examination that he hoped his performance at the Mitchell-Stans trial would be noted by the judge who would mete out his punishment. Clarence Brown, a postal employee, expressed his fellow jurors' feelings: "I liked John Dean. I didn't fully believe him, though. He was a man trying to save his own skin."

Both Nixon in his TV address and St. Clair in his brief took dead aim at Dean, attempting to discredit him. As the week went on, the White House, having put together what in the transcripts is called a "PR team," increased the firing on Dean. Administration aides prepared a summary of contradictions in his statements and gave it to South Carolina Republican Senator Strom Thurmond, who had it published in the *Congressional Record*. When presidential aides found Thurmond's entry had

SHERMAN ADAMS & PRESIDENT EISENHOWER



gone largely unnoticed, Communications Director Ken Clawson gave another detailed list of the alleged Dean contradictions to the press. At the same time, Press Secretary Ziegler declared: "Anyone who says the transcripts support John Dean hasn't worked at his reading or is looking at it with a totally partisan or biased eye."

The White House assault made no mention of the fact that Dean's testimony was corroborated, in most respects, by other witnesses. A close comparison of his testimony with the President's transcripts showed that while he was self-serving before the Watergate Committee, he was remarkably accurate. His occasional errors were relatively minor and can perhaps be explained by the Administration's refusal to let him have access to his White House files in preparing his testimony. Both Committee Chairman Sam Ervin and Vice Chairman Howard Baker, a Republican, said that they have faith in Dean's credibility. Special Prosecutor Jaworski continues to count Dean a key witness in the Watergate trials. In a way, the White House blitz on Dean seemed either a diversionary tactic or mere vindictiveness. Now that the evidence of the tapes is available, Dean's testimony is far less vital or relevant.

Court Battle? Nixon's decision, in another transcript phrase, to "stone-wall" his opposition, also applied to Jaworski's subpoena of tapes. Lawyer St. Clair presented a brief to Federal Judge John J. Sirica, arguing that Jaworski's subpoena for 64 additional tapes should be quashed because he had not shown that the material was relevant to the trial of the seven Nixon associates charged in the cover-up.* St. Clair also argued that all portions of the subpoenaed materials that had not been made public were protected by Executive privilege and could be kept confidential by the President. Sirica scheduled a hearing on the argument for this Wednesday. Aides to both Nixon and Jaworski said that they were willing to carry the fight to the Supreme Court, thus raising the prospect of another lengthy court battle reminiscent of the one the White House lost last fall. That fight led to Nixon's firing of Special Prosecutor Archibald Cox and the resignations of Attorney General Elliot Richardson and his assistant William Ruckelshaus.

As a further part of the Nixon strategy, General Alexander M. Haig Jr., the White House chief of staff, refused to answer questions before the Senate Watergate committee last week. He presented a letter from Nixon ordering him not to testify on grounds that it would be "wholly inappropriate for the committee to examine you about your activities as chief of staff."

The White House also gave no sign that it would comply with the Judiciary Committee's request for tapes of 142 ad-

ditional conversations between Nixon and aides. The tapes bear on the Watergate cover-up, the Administration's 1971 decision to increase milk-price supports and its antitrust settlement with ITT that year. St. Clair urged the committee to study the transcripts before demanding more evidence. He declined to say how the White House would respond if the committee pressed on.

At week's end Nixon took to the road to sell his side of the transcript story to the public. His first stop was Phoenix, Ariz., where his audience of 13,000 at a Republican fund raiser was mostly friendly. But shouts of "Hail to the thief!" and rhythmic clapping from a handful of hecklers in the balcony rattled Nixon. His voice quavered, his hands tightly gripped the flower-becked lectern, and he occasionally mispronounced words. Still, cheers drowned

Government job in recognition of his efforts for Nixon.

► A Feb. 27 session with Haldeman and Ehrlichman concerning the need for Dean to report directly to Nixon, rather than through them, on matters relating to Watergate. In the ensuing six weeks, Dean met with the President more than 70 times.

► An April 15 telephone conversation with then-Attorney General Richard Kleindienst in which they discussed Watergate problems.

► Four meetings on April 15, when the White House cover-up on Watergate was clearly crumbling. The meetings were with Ehrlichman, Dean, Kleindienst and Assistant Attorney General Henry Petersen, who was then heading the investigation into the break-in at the Democratic National Committee offices. The White House says that the tape

DAVID KENNERLY



JUDICIARY COMMITTEE CHAIRMAN RODINO & COUNSEL DOAR BRIEFING REPORTERS
In a rare night session, a letter mildly chastising the President.

out the boos when he said that he had furnished "all the relevant evidence" needed "to get Watergate behind us" and promised "to stay on this job." On Saturday, Nixon opened Expo '74 in Spokane, Wash., where he was welcomed with a few impeachment signs.

Of the eleven additional presidential conversations subpoenaed by the committee, White House aides claimed that the tapes of those exchanges, which all took place in 1973, either were missing or were not made through failures in the recording equipment. Thus there are no accounts of:

► A Feb. 20 meeting with Haldeman to discuss finding a suitable job for Jeb Stuart Magruder, the former deputy director of Nixon's re-election campaign committee. Magruder had made clear to Haldeman that he wanted a high

ran out in midafternoon of April 15.

► Three meetings on April 16 with Haldeman and Ehrlichman to discuss their resignations and Dean's request for immunity from prosecution in exchange for testimony about Watergate before the grand jury.

► An April 18 phone conversation with Petersen in which Nixon reportedly told him to stay out of the investigation of the break-in at the offices of Ellsberg's psychiatrist because it involved national security.

The transcripts that the White House provided offer fresh details about the origin of the plan to bug the Democratic national headquarters, as well as precisely what the undercover team was after. At their March 21, 1973 meeting, Dean told Nixon that the operation originated with an order from Haldeman

Mitchell, Haldeman, Ehrlichman, Charles Colson, Robert Mardian, Kenneth Parkinson and Rodon Strachan.



NIXON MEETING IN BETTER DAYS WITH AIDES JOHN EHRLICHMAN, RONALD ZIEGLER & H.R. HALDEMAN IN THE OVAL OFFICE
Evidence showing the President torn between letting the truth come out and attempting to avoid it.

to "set up a perfectly legitimate campaign intelligence operation" within the Nixon re-election committee. In January 1972, White House "Plumber" G. Gordon Liddy came up with an incredible scheme that he said would cost \$1 million. According to Dean, it involved "black-bag operations, kidnaping, providing prostitutes to weaken the opposition, bugging, mugging teams."

Liddy's plans were twice vetoed by John Mitchell, then Attorney General, who was later to head the re-election campaign. But in February, Dean said, Strachan began stepping up efforts "to get some information." Dean said that he believed Haldeman, who was Strachan's boss, had assumed that Liddy's operation was "proper." In any case, Dean said, Jeb Magruder took Strachan's message "as a signal to probably go to Mitchell and to say, 'They are pushing us like crazy for this from the White House.' And so Mitchell probably puffed on his pipe and said, 'Go ahead,' and never really reflected on what it was all about."

Dean told Nixon that the bugging team "might have been looking for information about the Democratic conventions." Liddy had earlier informed him that there was a plan—never carried out—to bug Democratic Chairman Lawrence O'Brien's hotel suite in Miami. The Liddy operation was a failure from the beginning. The team first tapped the telephone of Democratic Committee Official R. Spencer Oliver. Ehrlichman told Nixon on April 14, 1973, that "what they were getting was mostly this fellow Oliver phoning his girl friends all over the country, lining up assignments." Ehrlichman said that "Liddy was badly embarrassed by the chewing out he got" from Mitchell for providing such weak "intelligence" and promised: "Mr. Mitchell, I'll take care of it." Ehrlichman added: "The next break-in was entirely on Liddy's own notion." During that operation on June 17, the bugging team got caught.

The transcripts provided new insights into Nixon's former top associates

and his working relationships with them. Some of the revelations:

JOHN DEAN. Before the Senate Watergate committee, he seemed to be only a minor functionary, a modest clerk. Now he emerges as having played a key White House role, first in making sure the cover-up held through the election, then in advising Nixon on how to cope as it fell apart in early 1973.

JOHN EHRLICHMAN. Always considered one of the staff heavyweights, he often demonstrates a better perception of the law than the President. Early on, as the Watergate revelations began to threaten the White House itself, he offered Nixon the best advice of all. He suggested that the Administration take the "hang-out road" and tell the truth about its role in the break-in and cover-up, letting the chips—and men—fall where they might.

H.R. ("BOB") HALDEMAN. The most formidable guardian of Nixon's Oval Office, the chief of staff was considered the most powerful man in the White House after Nixon. Indeed, it appears that in private he often dominated the President, as well as the rest of the staff.

JOHN MITCHELL. He was one of Nixon's closest friends and political confidants. But the President was willing to let Mitchell take the rap for overseeing Watergate, drawing the heat away from the White House—if a way could be found to get him to agree. The disclosure bore out Martha Mitchell's celebrated telephone call on March 31, 1973, which seemed wildly improbable at the time. She complained to a reporter: "I think this Administration has turned completely against my husband."

Among those who surrounded Nixon, one man whose reputation was particularly damaged by the transcripts was Assistant Attorney General Henry Petersen. Nixon picked him to run the investigation into the cover-up in April 1973 when Richard Kleindienst removed himself from the case because of his close ties to John Mitchell. Petersen's gravel-voiced testimony before the Ervin committee last summer was con-

sidered by many to be a virtuoso display of candor and integrity. The transcripts, however, reveal that Petersen was callously manipulated by the President, who even went so far as to boast to Ehrlichman and Ziegler, "I've got Petersen on a short leash."

Perhaps from an excess of loyalty, zeal and awe of the presidency, Petersen appeared eager to give the White House every break he could. He was used to undermine his own investigation. On March 21, Nixon asked John Dean why the Assistant Attorney General had "played the game so straight with us." Said Dean: "Petersen is a soldier. He kept me informed. He told me when we had problems, where we had problems and the like. I don't think he has done anything improper, but he did make sure that the investigation was narrowed down to the very, very fine criminal thing, which was a break for us."

Even with the hundreds of "inaudible" and excised passages, the transcripts provided an extraordinary look at Nixon in private. His conversations were often bizarre, involving hours of foggy and imprecise musing. Instead of a tough, calculating, incisive Nixon, the transcripts revealed a lonely, aloof President who could not remember dates, could not recall Watergate Conspirator E. Howard Hunt's name, and who forgot that another of the convicted conspirators, G. Gordon Liddy, was in prison. In the transcripts, Nixon made few decisions, issued few orders and almost never exhibited the quick, encyclopedic mind that associates claim he has.

From time to time the President did exhibit odd grace notes. He expressed deeply felt concern for Hunt, whose wife Dorothy was killed in a plane crash in Chicago. He worried about "poor Bob" Haldeman, who was "totally selfless and honest and decent" but because of Watergate was "going through the tortures of the damned." There were even attempts at humor, albeit rather heavy-handed. For example, Nixon joined in the merriment on March 22, 1973, when Haldeman joked that "John says he

sorry he sent those burglars in there" and that he was glad "the others didn't get caught." "Yeah," said Nixon, "the ones he sent to Muskie and all the rest; Jackson; and Hubert, etc."

For the most part, however, Nixon came across in the transcripts as a coarse and cynical President, chiefly bent on manipulating associates and plotting strategies to keep himself isolated and insulated from Watergate. The transcripts showed a President creating an environment of deceit and dishonesty, of evasion and cover-up. In public, Nixon was pictured as detached, too busy with affairs of state to probe Watergate. In private, the transcripts showed that he wanted to know every detail of the scandal's effect on the press and public. Stratagems were devised; "scenarios" were roughed out and rehearsed. Answers were shaped for questions sure to be asked.

For the Record. Nixon's aides sometimes included imaginary press reaction as part of their scenarios. On April 14, 1973, Ehrlichman sketched what he thought might be "the news-magazine story for next Monday" if he were to present Nixon with a report naming John Mitchell and Jeb Stuart Magruder as ringleaders in the Watergate break-in. Ehrlichman suggested that the story might say: "The President then dispatched so and so to do this and that ... Charges of cover-up by the White House were materially dispelled by the diligent efforts of the President and his aides." The story obviously pleased Nixon. "I'll buy that," he said.

At times, Nixon sounded in the transcripts like a man speaking for the taped record, rather than spontaneously. During a discussion on April 14, 1973, with Haldeman and Ehrlichman, Nixon said of the Watergate cover-up: "Well, I knew it. I knew it. I must say, though, I didn't know it, but I must have assumed it though." On April 16, 1973, in the middle of a period in which Nixon and his top aides were concocting "scenarios" to isolate the President from Watergate, he told Dean: "John, tell the truth. That is the thing I've told everybody around here." A day later, the President and Haldeman were trying to recollect what happened when Dean told Nixon that Hunt was demanding hush money.

Nixon: I didn't tell him to get the money, did I?

Haldeman: No.

Nixon: You didn't either did you?

Haldeman: Absolutely not!

In one of the many war games and scenarios on how to handle the deteriorating situation, Attorney General Richard Kleindienst on April 15, 1973, advised Nixon: "One aspect of this thing which you can always take and that is, as the President of the United States, your job is to enforce the law." Whether as a public relations tactic, as Nixon and his men seemed to view most things, as his sworn duty, it was surely ad- that he ought to have taken.

TIME POLL

The Voters: Nixon Should Go

President Nixon may well have sensed that his public support was continuing to fall dramatically when he decided to appear on television and release edited transcripts of the Watergate tapes last week. Shortly before the President's announcement, Daniel Yankelovich, Inc., completed a poll for TIME showing that the percentage of Americans who wanted Nixon to resign or be impeached had jumped to 55%, from 39% last November and 30% last August (see accompanying chart). The results indicate that those who wanted to see Nixon out of office clearly would prefer that he resign rather than be impeached. If the President fails to resign, however, the people in the latest poll would be almost evenly split between impeachment (43%) and the President's staying

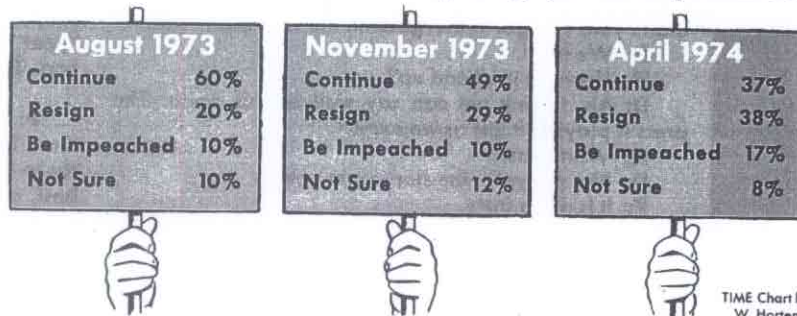
Among those Americans who would like to see the President resign, 86% feel that he has been acting as if he were above the law, and 91% believe that he has failed to get to the bottom of the Watergate mess.

How do you expect the Watergate affair to end—with Mr. Nixon staying in office, resigning or being impeached?

	Aug. 1973	April 1974
Nixon staying in office	74%	49%
Nixon resigning	7%	14%
Impeachment	5%	23%
Not sure	14%	14%

Unless the President is able to turn the tide of public opinion, the TIME/Yankelovich poll foresees an

Should Nixon Continue in Office, Resign, or Be Impeached?



in office (44%); 13% were not sure.

Only 28% in the Northeast wanted the President to stay in office. Even in the North Central states, where Nixon's support was the highest, just 44% thought he should continue in the White House. In the South, where the President has campaigned most extensively for support, only 38% wanted him to stay on. The President got his strongest backing from people who identified themselves as Republicans; 68% of them wanted him to remain.

Do you feel that Mr. Nixon has been acting as if he were above the law, or do you feel he has been acting within his rights?

	Nov. 1973	April 1974
Above the law	47%	62%
Within his rights	42%	30%
Not sure	11%	8%

Do you feel that Mr. Nixon has violated his promise to the American people to get to the bottom of the Watergate affair, or do you feel that he is keeping his promise?

	Nov. 1973	April 1974
Violated his promise	56%	68%
Kept his promise	32%	21%
Not sure	12%	11%

overwhelming Democratic victory in the elections this November. If elections for Congress were held today, registered voters would cast their ballots by a margin of almost 3 to 1 for Democratic candidates (52% for the Democrats, 19% for the Republicans). Only 58% of registered Republicans are now committed to their party's congressional candidates, and 62% of the Democrats who voted for Nixon in 1972 plan to support their party's nominees in the contests coming up this fall.

Far from being disillusioned with politics because of Watergate, 70% of those polled felt that voting in the next election was very important, and only 12% believed that their ballot would not make much difference. Incumbents of both parties are likely to be hurt by a throw-all-the-rascals-out reaction. Fully 52% of all the respondents polled agreed strongly or partly with the notion that all present congressional officeholders up for re-election in November should be bounced.

As for presidential candidates in 1976, Senator Edward Kennedy was judged "acceptable" by 55% and "not acceptable" by 39%, followed by Vice President Gerald Ford (43% to 37%), Alabama's Governor George Wallace (41% to 52%) and California's Governor Ronald Reagan (38% to 42%).

The Most Critical Nixon Conversations

The portions of the transcripts that appear to bear most directly on the President's guilt or innocence are excerpted in chronological order, with comment and annotation, on these and the following pages. As Nixon said, many of these words are ambiguous, but many of them are less so than the White House has tried to depict them. How they are judged by the Congress and the American people may well determine Nixon's survival in office. The White House transcripts, often unpunctuated and containing spelling and other errors, are reproduced here as they were issued, in a distinctive typeface for ready recognition. Where a part of a spoken sentence has been omitted for space reasons, the omission is indicated by three dots . . . and where whole sequences of dialogue have been deleted for compression purposes, the gap is indicated by a square ■.

Nixon was congratulating him on succeeding in "containing" the case to the seven through the illegal cover-up.

P: We are all in it together. This is a war. We take a few shots and it will be over. Don't worry. I wouldn't want to be on the other side right now. Would you?

D: Along that line, one of the things I've tried to do, I have begun to keep notes on a lot of people who are emerging as less than our friends because this will be over some day and we shouldn't forget the way some of them have treated us.

P: I want the most comprehensive notes on all those who tried to do us in. They didn't have to do it. They are asking for it and they are going to get it. We have not used the power in this first four years as you know. We have not used the Bureau [FBI] and we have not used Justice, but things are going to change now. And they are either going to do it right or go.

D: What an exciting prospect.

P: Thanks. It has to be done . . .

They discuss how to head off pending hearings by the House Banking and Currency Committee on improper campaign practices. The President agrees that "heat" should be put on Speaker of the House Carl Albert. The hearings, in fact, were called off.

P: You really can't sit and worry about it all the time. The worst may happen but it may not. So you just try to button it up as well as you can and hope for the best, and remember basically the damn business is unfortunately trying to cut our losses.

D: Certainly that is right and certainly it has had no effect on you. That's the good thing.

H: No, it has been kept away from the White House and of course completely from the President. The only tie to the White House is the Colson effort they keep trying to pull in [Charles Colson, former special counsel to Nixon].

D: And, of course, the two White House people of lower level—indicted . . . That is not much of a tie.

SEPTEMBER 15, 1972, 5:27 P.M.

The Oval Office. Present: the President (P), H.R. Haldeman (H) and John Dean (D).

In the morning, a federal grand jury had indicted the five Watergate burglars along with Nixon Re-Election Committee Lawyer G. Gordon Liddy and White House Consultant E. Howard Hunt Jr.

P: Hi, how are you? You had quite a day today didn't you. You got Watergate on the way didn't you?

D: We tried.

H: How did it all end up?

D: Ah, I think we can say well at this point. The press is playing it just as we expect.

H: Whitewash?

D: No, not yet—the story right now—

P: It is a big story.

H: Five indicted plus the WH former guy and all that.

D: Plus two White House fellows [Liddy and Hunt].

H: That is good, that takes the edge off whitewash really, that was the thing Mitchell kept saying that to people in the country Liddy and Hunt were big men. Maybe that is good.

P: Just remember, all the trouble we're taking, we'll have a chance to get back one day . . .

The talk is interrupted by a call to the President from John Mitchell in New York. Nixon tells his former Attorney General that "this thing is just one of those side issues and a month later everybody looks back and wonders what all the shooting was about." Then the discussion resumes.

D: Three months ago I would have had trouble predicting there would be a day when this would be forgotten, but I think I can say that 54 days from now [Election Day], nothing is going to come crashing down to our surprise.

This assurance contrasts with Dean's later testimony before the Senate Watergate committee when he said that he had warned the President at the Sept. 15 meeting that "there was a long way to go before this matter would end."

P: Oh well, this is a can of worms as you know a lot of this stuff that went on. And the people who worked this way are awfully embarrassed. But the way you have handled all this seems to me has been very skillful putting your fingers in the leaks that have sprung here and there . . .

It is one of the "ambiguities" that could be misconstrued. Dean has testified that he assumed that

FEBRUARY 28, 1973, 9:12 A.M.

The Oval Office. Present: the President and Dean.

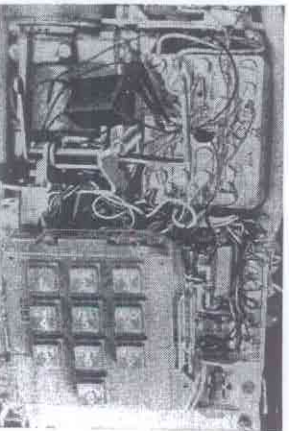
By late January, the Watergate seven had either pleaded guilty or been convicted. At the end of the trial, Judge John Sirica had warned that he was not satisfied that all the guilty persons had been brought to justice. In early February, the Senate voted to set up the Watergate committee to investigate 1972 presidential campaign practices. L. Patrick Gray was making his first appearance before the Senate Judiciary Committee, which was holding hearings for his confirmation as permanent FBI director. The President is concerned about the leaks on Watergate from the FBI.

P: The Bureau is leaking like a sieve to Baker [Senator Howard Baker, vice chairman of the Senate Watergate committee]. It isn't coming from Henry Petersen [chief of the Criminal Division of the Justice Department] is it?

D: No. I would just not believe that.

The problem of the sentencing of the Watergate conspirators comes up.

P: You know when they talk about a 35-year sentence, here is something to think about. There wer



TRANSCRIPTS OF TAPES; WATERGATE COMPLEX; DEMOCRATS' BUGGED TELEPHONE

weapons! Right? There were no injuries! Right? There was no success! Why does that sort of thing happen? It is just ridiculous! [Characterization deleted]

P: Well, you can follow these characters to their Gethsemane. I feel for those poor guys in jail, particularly for Hunt with his wife dead. [She had been killed in a plane crash while delivering \$10,000 in hush money for Watergate defendants.]

D: Well, there is every indication they are hanging in tough right now.

P: What the hell do they expect though? Do they expect clemency in a reasonable time? What would you advise on that?

D: I think it is one of those things we will have to watch very closely.

P: You couldn't do it, say, in six months.

D: No ... This thing may become ... a vendetta. This judge [Sirica] may go off the deep end in sentencing.

Nixon declares that the people most disturbed about Watergate are "the [adjective deleted]" Republicans, who are "highly moral. The Democrats are just sort of saying [expletive deleted] fun and games." Dean mentions Donald Segretti, practitioner of dirty tricks on behalf of Nixon's campaign.

P: [Expletive deleted] He was such a dumb figure, I don't see how our boys could have gone for him. But nevertheless, they did. It was really juvenile! But, nevertheless, what the hell did he do? Shouldn't we be trying to get intelligence? Weren't they? ...

D: Absolutely!

P: Don't you try to disrupt their meetings? Didn't they try to disrupt ours? [Expletive deleted] They threw rocks, ran demonstrations, shouted, cut the sound system, and let the tear gas in at night.

Dean continues to assure the President that Watergate is not getting out of control.

D: I had thought it was an impossible task to hold together ... but we have made it thus far, and I am convinced we are going to make it the whole road and put this thing in the funny pages of the history books rather than anything serious because actually—

P: It will be somewhat serious but the main thing, of course, is also the isolation of the President.

D: Absolutely! Totally true!

P: [Expletive deleted] Of course, I am not dumb and I will never forget when I heard about this [adjective deleted] forced entry and bugging. I thought, what in the hell is this? What is the matter with these people? Are they crazy? A prank! But it wasn't! It wasn't very funny. I think our Democratic friends know that, too. They know what the hell it was ... They don't think I would be involved in such stuff ... They think I have people capable of it. And they are correct, in that Colson would do anything.

The President worries that John Mitchell might be in trouble if he is called upon to testify before the Watergate committee.

P: Mitchell won't allow himself to be ruined. He will put on his big stone face. But I hope he does and he will. There is no question what they are after. What the committee is after somebody at the White House ... Haldeman or Colson, Ehrlichman.

D: Or possibly, Dean. You know, I am a small fish.

P: Anybody at the White House they would—but in your case I think they realize you are the lawyer and they know you didn't have a [adjective deleted] thing to do with the campaign.

MARCH 13, 1973, 12:42 P.M.

The Oval Office. Present: the President, Haldeman and Dean.

In the second week of his confirmation hearings, Gray has revealed that he regularly gave Dean FBI reports on the Watergate burglary investigation. Nixon has just issued a statement prohibiting any of his White House aides, past or present, from appearing before the Watergate committee on grounds of Executive privilege. In the discussion he makes clear that information is to be given the committee, but only on his terms.

P: My feeling, John, is that I better hit it now rather than just let it build up where we are afraid of these questions and everybody ...

D: These questions are just not going to go away. Now the other thing we have talked about in the past, and I still have the same problem, is to have a "here it all is" approach. If we do that ...

P: And let it all hang out.

D: And let it all hang out. Let's with a Segretti—etc.

P: We have passed that point.

D: Plus the fact, they are not going to believe the truth! That is the incredible thing!

P: They hope one will say one day, 'Haldeman did it,' and one day one will say I did it. They might question his political savvy, but not mine! Not on a matter like that!

Nixon says he noticed in his news summary that there is a crisis of confidence in the President.

D: I think it will pass ... I don't think that the thing will get out of hand ...

P: Oh yes, there would be new revelations.

D: They would want to find out who knew ...

P: Is there a higher up?

D: Is there a higher up? ...

P: I think they are really after Haldeman.

D: Haldeman and Mitchell.

P: Colson is not big enough name for them ...

P: In any event, Haldeman's problem is Chapin isn't it? [Dwight Chapin, Nixon's former appointments secretary under Haldeman]

P: Now where the hell, or how much Chapin knew I will be [expletive deleted] if I know.

Assured that Chapin did not know about Watergate, the President asks if Gordon Strachan (a Haldeman aide) was aware. Dean admits that Strachan knew early on, but has twice denied to Federal investigators having any knowledge. Dean says that Strachan is ready to deny it again before the Ervin committee. Nixon thus knows that before March 21 at least one White House man is involved in the cover-up.

D: Strachan is as tough as nails. He can go in and stonewall ...

P: I guess he should, shouldn't he? I suppose we can't call that justice, can we?

D: Well, it is a personal loyalty to him. He doesn't want it any other way. He didn't have to be told ...

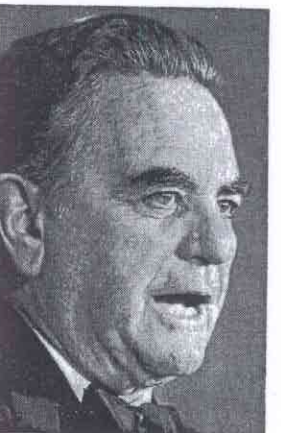
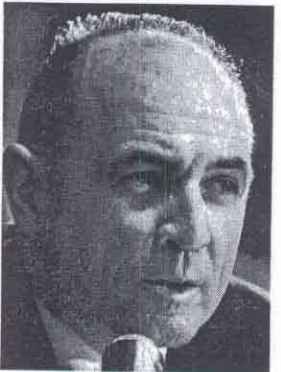
The President reflects that the Watergate espionage must have been unproductive since he received no report on it.

P: What was the matter? Did they never get anything out of the damn thing?

D: I don't think they ever got anything, sir.

P: A dry hole?

D: That's right.



THE NATION

P: [Expletive deleted]
D: Well, they were just really getting started . . .

P: That was such a stupid thing! . . . To think Mitchell and Bob would have allowed this kind of operation to be in the campaign committee.

P: Is it too late to go the hang-out road?
D: Yes, I think it is. The hang-out road—
P: The hang-out road [inaudible]
D: It was kicked around Bob and I and . . .
P: Ehrlichman always felt it should be hang-out.
D: Well, I think I convinced him why he would not

want to hang-out either. There is a certain domino situation here. If some things start going, a lot of other things are going to start going . . .

MARCH 17, 1973, 1:25 P.M.

The Oval Office. Present: the President and Dean. For the first time, the President learns of the break-in at the office of Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding.

P: What in the world—what in the name of God was Ehrlichman having something [unintelligible] in the Ellsberg [unintelligible]?

D: They were . . . they wanted to get Ellsberg's psychiatric records for some reason. I don't know.

P: This is the first I ever heard of this . . .

D: Well, anyway, [unintelligible] it was under an Ehrlichman structure, maybe John didn't ever know. I've never asked him if he knew. I didn't want to know.

P: I can't see that getting into this hearing [the Watergate committee investigation].

MARCH 21, 1973, 10:12 A.M.

The Oval Office. Present: the President, Haldeman and Dean.

This is the most crucial meeting covered by the Watergate transcripts. In his televised speech last week, the President concentrated on this 103-minute conversation, trying to strengthen the weakest link in his defense. At issue is his seeming authorization of hush money to buy Hunt's continued silence. He argued that he considered paying only because a national security problem—which he did not further identify—was involved. In the end, he said, he "did not intend the further payment to Hunt or anyone else be made," but he conceded that his words on the tapes were ambiguous.

In the published transcript, Dean warns that a "cancer within the presidency" is "growing geometrically." He spells out most of the Watergate operation for the President, including the attempted cover-up that involved the White House staff. He omits, however, some of his own actions in the scandal. The President appears not to have prior information; he asks more than 150 questions. Dean says that he could tell that Nixon did not know what had been going on. Dean says that after the burglars were caught, Gordon Liddy said that he had attempted the break-in because Jeb Magruder, re-election committee deputy director, wanted better information about the Democrats. Magruder had complained: "The White House is not happy with what we are getting." Dean tells Nixon that both Magruder and Herbert Porter, an assistant to Magruder, had perjured themselves in the trial of the Watergate burglars.

D: I honestly believe that no one over here knew that [the burglary was planned]. I know that, as God is my maker, I had no knowledge . . .

P: Bob [Haldeman] didn't either, or wouldn't have known that either. You are not the issue involved. Had Bob known, he would be.

D: I was under pretty clear instructions not to investigate this, but this could have been disastrous on the electorate if all hell had broken loose. I worked on a theory of containment.

P: Sure.

D: To try to hold it right where it was.

P: Right.

D: There is no doubt that I was totally aware of what the Bureau [FBI] was doing at all times. I was totally aware of what the Grand Jury was doing. I knew that witnesses were going to be called. I knew what they were asked, and I had to.

When Dean tells how the President's personal attorney Herbert Kalmbach raised money to pay the attorneys' fees for the Watergate defendants, Nixon speculates that the "cover of a Cuban committee" must have been used. (Some of the burglars were Cuban exiles.)

P: [Unintelligible], but I would certainly keep that cover for whatever it is worth.

D: That's the most troublesome thing because 1) Bob [Haldeman] is involved in that; 2) John [Ehrlichman] is involved in that; 3) I am involved in that; 4) Mitchell is involved in that. And that is an obstruction of justice.

Dean goes on to describe the "continual blackmail operation" by the Watergate defendants: their requests for money to keep them from talking.

D: It will cost money. It is dangerous. People around here are not pros at this sort of thing. This is the sort of thing Mafia people can do: washing money, getting clean money and things like that. We just don't know about those things, because we are not criminals and not used to dealing in that business.

P: That's right.

D: It is a tough thing to know how to do.

P: Maybe it takes a gang to do that.

D: That's right. There is a real problem as to whether we could even do it. Plus there is a real problem in raising money . . . But there is no denying the fact that the White House, in Ehrlichman, Haldeman and Dean are involved in some of the early money decisions.

P: How much money do you need?

D: I would say that these people are going to cost a million dollars over the next two years.

P: We could get that . . . You could get a million dollars. You could get it in cash. I know where it could be gotten. It is not easy but it could be done. But the question is who the hell would handle it? Any ideas on that?

D: That's right. Well, I think that is something that Mitchell ought to be charged with.

P: I would think so too.

D: And get some pros to help him.

P: Let me say there shouldn't be a lot of people running around getting money—

D: Well, he's got one person doing it who I am not sure is—

P: Who is that?

D: He has Fred LaRue [a former Mitchell aide] doing it. Now Fred started out going out trying to solicit money from all kinds of people.

P: No!

P: You need it in cash don't you? . . . Would you put that through the Cuban Committee.

D: No.

P: How if that ever comes out are you going to handle it? Is the Cuban Committee an obstruction of justice, if they want to help?

D: Well, they have priests in it.

P: Would that give a little bit of a cover? . . .

D: Some for the Cubans and possibly Hunt.



H.R. HALDEMAN; DONALD SEGRETTI; GORDON STRACHAN; DWIGHT CHAPIN

P: Don't you think you have to handle Hunt's financial problem damn soon?

D: I think that is—I talked with Mitchell about that last night and—

P: It seems to me we have to keep the cap on the bottle that much, or we don't have any options.

D: That's right.

P: Either that or it all blows right now?

D: That's the question. What really bothers me is this growing situation. As I say, it is growing because of the continued need to provide support for the Watergate people who are going to hold us up for everything we've got, and the need for some people to perjure themselves as they go down the road here. If this thing ever blows, then we are in a cover-up situation. I think it would be extremely damaging to you and the—

P: Sure. The whole concept of Administration justice. Which we cannot have!

D: That is what really troubles me. For example, what happens, if it starts breaking, and they do find a criminal case against a Haldeman, a Dean a Mitchell, an Ehrlichman? That is—

P: If it really comes to that, we would have to [unintelligible] some of the men.

D: That's right. I am coming down to what I really think, is that Bob and John and John Mitchell and I can sit down and spend a day, or however long, to figure out one, how this can be carved away from you, so that it does not damage you or the Presidency. It just can't! You are not involved in it and it is something you shouldn't—

P: That is true!

D: I know . . . I can just tell from our conversation that these are things that you can have no knowledge of.

P: You certainly can! Buggings, et al! Let me say I am keenly aware of the fact that Colson, et al, were doing their best to get information as we went along. But they all knew very well they were supposed to comply with the law. There was no question about that!

Even if the money were given to Hunt and the others, the President wonders if he would not have to offer clemency as well.

D: I am not sure that you will ever be able to deliver on the clemency. It may just be too hot.

P: You can't do it politically until after the '74 elections, that's for sure. Your point is that even then you couldn't do it.

D: That's right.

P: No—it is wrong, that's for sure.

The President has insisted that his use of the word wrong applied to the whole question of delivering hush money and then providing clemency. In context, however, the word quite clearly refers only to clemency. Even then, it seems to be less a moral judgment of the impropriety of offering clemency than an assessment that the President would be open to political attack if he pardoned the conspirators before the 1974 elections.

When Haldeman arrives, the conversation turns to the Ellsberg break-in. For the first time, national security is mentioned as a possible defense.

D: You might put it on a national security grounds basis.

H: It absolutely was.

P: National security. We had to get information for national security grounds.

D: Then the question was, why didn't the CIA do it or why didn't the FBI do it?

P: Because we had to do it on a confidential basis.

H: Because we were checking them.

P: Neither could be trusted.

H: It has basically never been proven . . .

P: With the bombing thing coming out [the secret bombing of Cambodia] and everything coming out, the whole thing was national security.

D: I think we could get by on that.

Later the President returns to the problem of the hush money.

P: Let's say, frankly, on the assumption that if we continue to cut our losses, we are not going to win. But in the end, we are going to be bled to death. And in the end, it's all going to come out anyway. Then you get the worst of both worlds. We are going to lose, and people are going to . . .

H: And look like dopes.

P: And, in effect, look like a cover-up.

P: Another way to do it then, Bob, and John realizes this, is to continue to try to cut our losses. Now we have to take a look at that course of action. First it is going to require approximately a million dollars to take care of the jackasses who are in jail. That can be arranged. That could be arranged. But you realize that after we are gone, and assuming we can expend this money, then they are going to crack and it would be an unseemly story. Frankly, all the people aren't going to care that much.

D: That's right.

P: People won't care, but people are going to be talking about it . . . The second thing is, we are not going to be able to deliver on . . . clemency.

The President considers convening a new grand jury to investigate Watergate as preferable to the Watergate committee. The sessions would be private, and rules of evidence would apply.

D: You can take the Fifth Amendment.

P: That's right.

H: You can say you have forgotten too, can't you?

P: You can say I don't remember. You can say I don't recall.

The conversation returns to Hunt; Dean fears that he is the most likely of the convicted Watergate conspirators to give the true story unless he is paid.

P: That's why for your immediate things you have no choice but to come up with the \$120,000, or whatever it is. Right?

D: That's right.

P: Would you agree that that's the prime thing that you damn well better get that done?

D: Obviously, he ought to be given some signal . . .

P: [Expletive deleted] Get it.

In view of this curt command, it would be hard to argue, as the President has, that he did not approve of the hush money. This simple order, allowing no misinterpretation by Dean, may constitute the single most impeachable offense in the entire transcript.

Nixon asks how the money would get to Hunt.

D: You have to wash the money. You can get \$100,000 out of a bank, and it all comes in serialized bills.

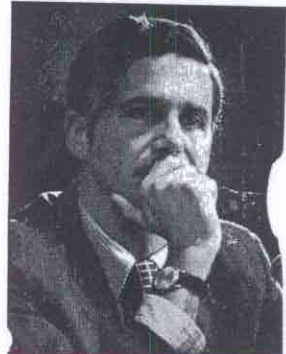
P: I understand.

D: And that means you have to go to Vegas with it or a bookmaker in New York City. I have learned all these things after the fact. I will be in great shape for the next time around.

H: [Expletive deleted]

P: Well, of course you have a surplus from the campaign. Is there any other money hanging around?

The reply: there is none. Nixon tells his aides that "delaying is the great danger to the White House area."





A few hours later, according to grand jury testimony. Hunt's attorney received \$75,000. Next day John Mitchell flew down from New York. He told Ehrlichman that Hunt was no longer a "problem."

MARCH 22, 1973, 1:57 P.M.

The Presidential office in the Executive Office Building [E.O.B.]. Present: The President, Haldeman, Dean, Ehrlichman (E) and John Mitchell (M).

During a strategy session on Watergate options The President is concerned that Dean should finish a report on the scandal to be used as a public relations position paper. Nixon tells Dean not to get into specifics.

D: I am talking about something we can spread as facts. You see you could even write a novel with the facts.

E: I am looking to the future, assuming that some corner of this thing comes unstuck, you are then in a position to say: "Look, that document I published is the document I relied on."

P: This is all we knew.

H: This is all the stuff we could find out.

E: And now this new development is a surprise to me—I am going to fire A, B, C and D now.

P: At the President's direction you have never done anything operational, you have always acted as counsel. We've got to keep our eye on the Dean thing—just give them some of it—not all of it.

P: Do you think we want to go this route now? Let it hang out, so to speak?

D: Well, it isn't really that.

H: It's a limited hang-out.

D: It's a limited hang-out... What it is doing, Mr. President, is getting you up above and away from it. That is the most important thing

P: I feel that at a very minimum we've got to have this statement [on the Dean report]... If it opens up doors, it opens up doors.

MARCH 27, 1973, 11:10 A.M.

The Oval Office. Present: The President, Haldeman, Ehrlichman and Ziegler (Z).

Another strategy session is in order now that Watergate Burglar James McCord has sent his letter to Judge Sirica implicating higher-ups and charging that perjury was committed at his trial. The group ponders how to handle Jeb Magruder if he decides to change his perjured testimony and reveal that White House staff was involved in Watergate.

P: What stroke have you got with Magruder?...

E: I think the stroke Bob [Haldeman] has with him is in the confrontation to say, "Jeb, you know that just plain isn't so," and just stare him down on some of this stuff and it is a golden opportunity to do this... I am sure he will rationalize himself into a fable that hangs together. But if he knows that you are going to righteously and indignantly deny it, ah...

P: Say that he is trying to lie to save his own skin.

E: It'll bend him.

H: But I can make a personal point of view in the other direction, and say, "Jeb, for God's sake don't get yourself screwed up by solving one lie with a second. You've got a problem. You ain't going to make it better by making it worse."

Ehrlichman suggests that Magruder be instructed to seek immunity and take the rap for the Watergate break-in without implicating anyone else. Magruder did

not take this advice. He confessed to the prosecutors that he had committed perjury and disclosed the roles of Mitchell and Dean in Watergate and is awaiting sentencing.

APRIL 14, 1973, 8:55 A.M.

E.O.B. office. Present: The President, Haldeman and Ehrlichman.

With indictments thought to be pending against Magruder and Mitchell and more people preparing to talk, plans to contain the scandal are breaking down. In a conversation laced with incriminating confessions, the President and his top aides discuss how the Justice Department investigation might be cut off at the level of the Nixon re-election committee officials—notably Mitchell and Magruder—rather than reaching into the White House. Their aim is to persuade the former Attorney General and close friend of the President to assume total responsibility for Watergate.

E: If Mitchell went in, that might knock that whole week into a cocked hat.

P: Why?

H: Well, I'm not sure then they care about the cover-up any more.

P: Well, they might.

E: If Mitchell gave them a complete statement—

P: I wish they wouldn't, but I think they would, Bob. The cover-up, he said that—well, basically, it's a second crime. Isn't that right, John?... Do you think they would keep going on the cover-up even if Mitchell went in?

E: Well, I would certainly assume so.

Nixon instructs Ehrlichman to talk to both Mitchell and Magruder. Ehrlichman proposes a cautious, roundabout way of telling them that the President wants them to testify honestly about their roles. (Nixon here refers to himself in the third person.)

P: Well, you could say to Mitchell, I think you've got to say that this is the toughest decision he's made and it's tougher than Cambodia—May 8 [the mining of Haiphong harbor] and Dec. 18 [bombing of Hanoi] put together. And that he can't bring himself to talk to you about it. Just can't do it... But John Mitchell, let me say, will never go to prison. I think that what will happen is that he will put on the damndest defense.

APRIL 14, 1973, 5:15 P.M.

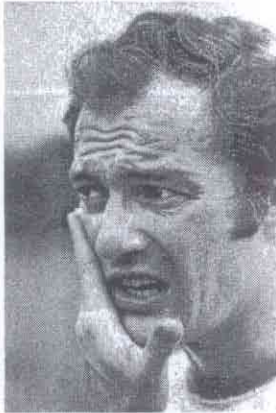
E.O.B. office. Present: the President, Haldeman and Ehrlichman.

Magruder has told his revised story, implicating Dean and Mitchell, to the prosecutors. Mitchell has rejected Ehrlichman's subtle pitch that he consider shouldering the blame. The scenario is falling apart. Dean has started telling federal prosecutors what he knew about the break-in and cover-up. He has implicated Mitchell, Ehrlichman and Haldeman. That leaves the President a solitary, frustrated figure trying to hold the remaining pieces together.

P: Let me tell you, John, the thing about all this that has concerned me is dragging the damn thing out. And having it to be the only issue in town. Now the thing to do now, have done. Indict Mitchell and the rest and there'll be a horrible two weeks—a horrible, terrible scandal, worse than Teapot Dome and so forth. And it doesn't have anything to do with Teapot.

E: Yeah.

P: I mean there is no venality involved in the damn thing, no thievery or anything. Nobody got any papers. You know what I mean?



E: Yeah. That's true.

H: Glad to hear it.

P: The bad part of it is the fact that the Attorney General and the obstruction of justice thing which it appears to be. And yet, they ought to go up fighting. I think they all ought to fight.

APRIL 14, 1973, 11:02 P.M.

The Oval Office. A telephone conversation between the President and Haldeman.

P: I just don't know how it is going to come out. That is the whole point, and I just don't know. And I was serious when I said to John [Ehrlichman] at the end there, damn it all, these guys that participated in raising money, etc., have got to stick to their line—that they did not raise this money to obstruct justice.

H: Well, I sure didn't think they were.

P: At least I think now, we pretty much know what the worst is. I don't know what the hell else they could have that is any worse. Unless there is something that I don't know, unless somebody's got a piece of paper that somebody signed or some damn thing . . .

H: It doesn't appear that there is such a thing. What you hear is all stuff that has been hinted at.

APRIL 14, 1973, 11:22 P.M.

The Oval Office. A telephone conversation between the President and Ehrlichman.

P: [Haldeman] is a guy that has just given his life, hours and hours and hours you know, totally selfless and honest and decent . . . You know you get the argument of some . . . you should fire them. I mean you can't do that. Or am I wrong?

E: No, you are right.

P: Well, maybe I am not right. I am asking. They say, clean the boards. Well, is that our system?

E: I think you have to show . . . some heart on this thing.

P: Well, the point is, whatever we say about Harry Truman, while it hurt him, a lot of people admired the old bastard for standing by people . . . who were guilty as hell.

E: Yep.

P: And damn it, I am that kind of person. I am not one who is going to say, look, while this guy is under attack, I drop him.

The President then turns the conversation to how Dean could be kept from telling the prosecutors too much. In a potentially damaging portion of the transcript, the President suggests that Ehrlichman hint to Dean that only Nixon can pardon him. For his part, Ehrlichman implies that a plan is needed to ensure that the testimony of Dean and others does not involve the President. The crucial segments:

P: What are you going to say to [Dean]?

E: I am going to try to get him around a bit. It is going to be delicate.

P: Get him around in what way?

E: Well to get off this passing the buck business.

P: John, that's—

E: It is a little touchy and I don't know how far I can go.

P: John, that is not going to help you. Look, he has to look down the road to one point that there is only one man who could restore him to the ability to practice law in case things go wrong. He's got to have that in the back of his mind.

E: Uh, huh.

P: He's got to know that will happen. You don't tell

him, but you know and I know that with him and Mitchell there isn't going to be any damn question, because they got a bad rap . . .

P: Well, with Dean I think you can talk to him in confidence about a thing like that, don't you? He isn't going to—

E: I am not sure—I just don't know how much to lean on that reed at the moment.

P: I see.

E: But I will sound it out.

P: Well, you start with the proposition, Dean, the President thinks you have carried a tremendous load, and his affection and loyalty to you is just undiminished.

E: Alright.

P: And now, let's see where the hell we go.

E: Uh, huh.

P: We can't get the President involved in this, his people, that is one thing. We don't want to cover-up, but there are ways . . . Look, John, we need a plan here. And so that LaRue, Mardian and the others—I mean—

E: Well, I am not sure I can go that far with him.

P: No. He can make the plan up.

E: I will sound it out.

P: Right. Get a good night's sleep.

APRIL 15, 1973, 1:12 P.M.

E.O.B. Present: the President and Attorney General Richard Kleindienst (K).

Ushered into the President's hideaway in the Executive Office Building, Kleindienst, who has been up all night being briefed by the Watergate prosecutors, promptly discloses that Nixon's highest advisers are now being tied into the cover-up.

K: There is a possible suggestion that Haldeman and Ehrlichman ah, as yet—it looks that way—whether there is legal proof of it so far as that—that they . . . well, [had] knowledge in this respect, or knowledge or conduct either before or after the event [the June 17, 1972 break-in at the Watergate] . . .

P: Both Haldeman and Ehrlichman?

K: Yes . . . That is my primary reason for talking to you . . .

P: Who told you this? Silbert? [Assistant U.S. Attorney Earl J. Silbert, chief prosecutor of Watergate trial].

K: Yeah.

P: I have asked both Haldeman and Ehrlichman.

K: I know you have.

P: And they have given me absolute—you know what I mean . . . I don't believe Haldeman or Ehrlichman could ever—you know . . .

K: . . . It will be circumstantial, an association, an involvement, and it's going to be—

P: Why don't you do something about it?

Kleindienst avoids a direct answer to what many would interpret as a highly improper question. But he does say that the evidence is "going to come out," and might involve charges of obstructing justice. Then Kleindienst warns Nixon that a sheaf of indictments would soon be handed up and that the whole story is "likely to be all over town" in a day or two.

P: Involving Haldeman and Ehrlichman, too?

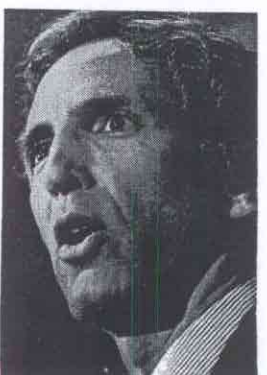
K: Yeah . . .

P: Do they tell you flatly Mitchell will be indicted?

K: Yes. They do—so will Dean.

P: Will be indicted?

K: Yeah.





P: What is your recommendation, then?

K: ... It seems to me that so long as I do anything at the Department of Justice I cannot hereafter be with Haldeman, Ehrlichman, Mitchell, LaRue. They won't believe that we didn't talk about the Watergate case.

P: Who can you have contacts with? Me?

K: ... I don't know whether I need contact anyone. Incidentally, there's a—there's a weak possible case on Colson ... He knew about and was involved in a conversation pertaining to money for Liddy's projects ...

P: They consider there's a weak case on him ...

K: Yes—and a very, very peripheral, weak case—probably not an indictable case with respect to Ehrlichman and Haldeman.

P: You know, it's embarrassing and all the rest, but it'll pass. We've got to—we've got to just ride it through Dick ... Do the best we can. Right?

K: Yes sir.

P: We don't run to the hills on this and so forth. The main thing is to handle it right.

P: And naturally because of your association with John Mitchell you would have to disqualify yourself.

K: Mardian, LaRue.

P: Oh—you know them all. Right—right—right. Now the difficulty with the special prosecutor—it gets a guy into the [expletive removed] thing ... It's a reflection—it's sort of an admitting *mea culpa* for our whole system of justice.

One concern of Nixon's—unmentioned here but evident in other conversations—is that a special prosecutor, who would coordinate the entire investigation, could not be counted on to keep the President from being involved. Later the President and Kleindienst muse on how things could have gone so awry.

P: They thought there was an election—you know—let's face it ... But after the election, I couldn't think what in the name of [expletive removed] reason did they play around then? Do you?

K: No.

P: You didn't know that they were doing this? I didn't know.

K: No sir—I didn't know.

P: I didn't—you know—as I was—one of the problems here—I have always run my campaigns. I didn't run this one I must say. I was pretty busy. Or—maybe—handling the Russian Summit. And you know, after the election—we were right in the middle of the Dec. 8th bombing—and holding meetings ...

At the end of this 70-minute dialogue the two agreed, in Kleindienst's words, "to delegate the responsibility for the entire matter to [Henry] Petersen, Assistant Attorney General of the Criminal Division."

APRIL 15, 1973, 3:27 P.M.

Telephone conversation between the President and Haldeman. The White House claims that its taping system broke down toward the end of the Nixon-Kleindienst meeting. As a result, 4 hours and 35 minutes of talks variously involving the President, Ehrlichman, Haldeman, Dean, Kleindienst and Petersen—all on that crucial Sunday in April—are lost. But the telephone recorders remain intact, and in this exchange, after telling Haldeman, "We are so low now we can't go any lower," Nixon says he favors the idea of a special prosecutor after all.

P: He is just in there for the purpose of examining all this to see that the indictments cover everybody.

H: Uh, huh. Well that does protect you a lot, be

cause if they don't indict some of us then you have a cover-up problem ...

P: Then he goes out and says, "I have examined all of this, and now let's stop all this. These men are not guilty and these men are not indictable and these are."

Nixon returns to the notion that John Mitchell might serve well as a sacrificial lamb.

P: Look, if they get a hell of a big fish, that is going to take a lot of the fire out of this thing on the cover-up and all that sort. If they get the President's former law partner and Attorney General, you know ...

H: Yeah. What I feel is people want something to be done to explain what to them is now a phony-looking thing. This will explain it.

H: It seems to me that ... public reaction is going to be, well, thank God that is settled; now let's get away from it. Rather than the reaction of, "Ho, ho, ho, here is something pretty bad; let's spend a lot more time looking into it."

P: That's right.

APRIL 15, 1973, 11:45 P.M.

Telephone conversation between the President and Petersen (HP). There are four short calls from the President to Petersen between 8:14 p.m. and 11:45 p.m. After discussing Dean's demand for immunity, Nixon asks Petersen about Haldeman and Ehrlichman.

HP: It is not going to come out neat and clean ... with respect to either one of them.

HP: I think with respect to the obstruction of justice thing is concerned, it is easy for me to see how they fell into that, if you like.

P: Yeah. Uh, huh. Rather than being directly conspirators?

HP: That's right. That's right.

P: And there is a difference in that respect ...

HP: A difference, at least, in moral culpability ... In plain terms of ultimate embarrassment ...

P: The embarrassment is there, but in terms—basically in terms of motive which might be the legal culpability, they might be off but in terms of embarrassment they would have to be out of the Government?

HP: Yes, Sir.

P: I get your point and, frankly, either one is enough.

APRIL 16, 1973, 9:50 A.M.

The Oval Office. Present: the President, Haldeman and Ehrlichman.

The three assemble to discuss Dean, who is due in ten minutes; apparently they have agreed that he has to go, but the question is how. Two letters have been prepared for Dean to sign, one offering his resignation and the other requesting a leave. Then the President and his two closest aides discuss "scenarios" for explaining their way out of a difficult situation.

P: I would like also a scenario with regard to the President's role, in other words, the President—

E: Ziegler has just left my office. He feels we have no more than twelve hours. He's got some input from the Post and he estimates unless we take an initiative by 9 o'clock tonight it will be too late.

Apparently worrying about what revelations might be forthcoming, the three discuss whether the White House should take the initiative by issuing a statement detailing what is being done to further the investigation. No firm decision is made.

APRIL 16, 1973, 10 A.M.

The Oval Office. Present: the President and Dean.

P: You will remember we talked about resignations, etc., etc. that I should have in hand. Not to be released.

D: Uh, huh.

P: But that I should have in hand something or otherwise they will say, "What the hell. After Dean told you all of this, what did you do?" You see?

D: Uh, huh.

P: But what is your feeling on that? . . .

D: Well, I think it ought to be Dean, Ehrlichman and Haldeman [leaving together].

P: Well, I thought Dean at this moment.

D: Alright.

P: Dean at this moment because you are going to be going and I will have to handle them also. But the point is, what is your advice? You see the point is, we just typed up a couple just to have here which I would be willing to put out. You know . . . In the event that certain things occur.

D: Uh, huh.

P: First, what I would suggest is that you sign both.

Supremely wary, Dean avoids signing the letters, but volunteers to draft one of his own "putting in both options." Later he soothingly assures Nixon, "You are still five steps ahead of what will ever emerge publicly," and the President, quoting Petersen, says hopefully that "the obstruction of justice thing is a [expletive omitted] hard thing to prove in court."

D: Well, my lawyer tells me, you know, that, "legally you are in damn good shape."

P: Is that right? Because you're not—you were simply helping the defendants get their fees and their—what does he say?

D: In that position, I am merely a conduit . . . I am a conduit to other people. That is the problem.

P: What was the situation, John? The only time I ever heard any discussion of support for the [Water-gate burglars'] defense fund was [inaudible]. I guess I should have assumed somebody was helping them. I must have assumed it. But I must say people were good in a way because I was busy.

P: What did you report to me on, though? It was rather fragmentary, as I recall it. You said Hunt had a problem . . . I said, "Why, John, how much is it going to cost to do this?"

D: That's right.

P: And you said it could cost a million dollars.

D: I said it conceivably could. I said, "If we don't cut this thing . . ."

P: Who handled the money?

D: Well, let me tell you the rest of what Hunt said. He said, "You tell Dean that I need \$72,000 for my personal expenses, \$50,000 for my legal fees and if I don't get it I am going to have some things to say about the seamy things I did at the White House for John Ehrlichman." All right, I took that to John Ehrlichman. Ehrlichman said, "Have you talked to Mitchell about it?" I said, "No, I have not."

D: I talked to Mitchell . . . A few days later . . . Ehrlichman said . . . "Well, is that problem with Hunt straightened out?" He said it to me and I said "Well, ask the man who may know: Mitchell." Mitchell said, "I think that problem is solved."

Looking toward his defenses, Nixon constructs a scenario for Dean to follow.

P: I just wanted to be sure that it jives with the

facts. I can say that you did tell me that nobody in the White House was involved and I can say that you then came in, at your request, and said, "I think the President needs to hear more about this case."

D: That's right.

P: Then it was that night that I started my investigation.

P: That is when I frankly became interested in the case and I said, "Now [expletive omitted] I want to find out the score."

Under Nixon's questioning, Dean describes how Magruder and Mitchell have tried to get him to perjure himself.

P: What got Magruder to talk? I would like to take the credit . . .

D: The situation there is that he and Mitchell were continuing to talk. Proceeding along the same course they had been proceeding to locking their story, but my story did not fit with their story. And I just told them I refused to change, to alter my testimony . . .

P: Oh yes, I remember. You told me that. I guess everybody told me that. Dean said, "I am not going down there and lie," because your hand will shake and your emotions. Remember you told me that.

D: Yes, I said that. I am incapable of it.

P: Thank God. Don't ever do it, John. Tell the truth. That is the thing I have told everybody around here . . . If you are going to lie, you go to jail for the lie rather than the crime. So believe me, don't ever lie.

D: The truth always emerges. It always does.

APRIL 16, 1973, 10:50 A.M.

The Oval Office. Present: the President, Haldeman and Ehrlichman.

Scarcely has Dean departed than Haldeman and Ehrlichman return and almost immediately the President says: "Well, John, let me say this [Dean] is quite the operator." Soon the talk turns again to the question of scenarios.

P: How has the scenario worked out? . . .

H: Well, it works out very good. You became aware sometime ago that this thing did not parse out the way it was supposed to and that there were some discrepancies between what you had been told by Dean in the report that there was nobody in the White House involved, which may still be true . . .

P: I would say I was not satisfied that the Dean report was complete and also I thought it was my obligation to go beyond that to people other than the White House.

E: Ron [Ziegler] has an interesting point. Remember you had John Dean go to Camp David to write it up. He came down and said, "I can't."

P: Right.

E: That is the tip-off and right then you started to move.

P: That's right. He said he could not write it.

H: Then you realized that there was more to this than you had been led to believe. [unintelligible]

E: And so then we started digging into it . . . You began to move . . . And then it culminated last week . . . in your decision that Mitchell should be brought down here; Magruder should be brought in; Strachan should be brought in.

P: Shall I say that we brought them all in?

E: I don't think you can. I don't think you can.

E: But you should say, "I heard enough that I was satisfied that it was time to precipitously move. I called the Attorney General over, in turn Petersen."



APRIL 16, 1973, 12 NOON

The Oval Office. Present: the President and Haldeman.

Once again, Nixon reviews "how we stage this damn thing." Haldeman discusses with him "the Garment plan," drawn up by White House Counsel Leonard Garment and calling for the jettisoning of not only Mitchell and Dean but also Haldeman and Ehrlichman to protect the President.

P: What does Ron think about this, leaving out the PR: does he think we should try to tough it through? . . .

H: I am not sure. I think Ron would say just wait and see. You see his point is that there is no question that I will be tarnished.

H: Then I go out. Garment's statement is that then I go out and hit this, use the position that I have established that way from the outside to—

P: To fight?

H: Yeah . . . Len is the panic button type. If we had reacted in Garment's way in other things, we wouldn't be where we are. That doesn't mean he isn't right this time, incidentally.

P: I know.

H: Len's view is that what you need is . . . some kind of a dramatic move. Henry [Kissinger] feels that, but Henry feels that you should go on television . . . which is his solution to any problem.

APRIL 16, 1973, 1:39 P.M.

E.O.B. Present: the President and Petersen.

For a prosecutor, Petersen seems inordinately eager to downplay the merits of the Justice Department's case—and to impart whatever information and advice he can to his boss. During an afternoon meeting that lasts for nearly two hours, Nixon seems deeply concerned about his image, emphasizing "the need . . . to show that the President takes the initiative" and that "once I find something out—I say—ACT!" He also is worried about Dean.

P: How does Dean come out on this thing?

HP: His counsel says we want a deal. This man was an agent. This man didn't do anything but what Halde—

P: Haldeman and Ehrlichman told him to do.

HP: And Mitchell, and if you insist on trying him we, in defense, are going to try Ehrlichman, Haldeman, Nixon and this Administration . . .

P: He'd try it—the President too?

HP: It's a goddamned poker game. Yes sir.

Summoning Ziegler to join the conversation, the President resumes his musings over what sort of public statement he could issue that would "knock true."

P: I want them [the press] to know that since the 21st [of March] I've been working my tail off, which I have—I'm so sick of this thing. I want to get it done with and over, and I don't want to hear about it again.

APRIL 16, 1973, 3:27 P.M.

E.O.B. Present: the President, Ehrlichman and Ziegler.

Second thoughts begin to surface about how necessary it is, after all, to issue a statement.

P: We just won't try to get out in front . . . We've gotten into enough trouble by saying nothing so we'll say nothing today. You know, actually, thank God we haven't, thank God we haven't had a Haldeman state-

ment. Believe me. [Unintelligible] Thank God we didn't get out a Dean report. Right? Thank God. So, we've done a few things right. Don't say anything.

E: I'd sure like to see us come out sometime, and I suppose it has to be at a time that Magruder makes his deal.

P: Well, let me say, I'll—I've got Petersen on a short leash.

Ehrlichman continues to argue for a statement, preferably on April 17; eventually he prevails.

APRIL 17, 1973, 9:47 A.M.

The Oval Office. Present: the President and Haldeman.

Nixon discusses the need to issue a Watergate statement because "they keep banging around and banging around. The prosecution gets out the damn stuff." There is a note of fatalism.

P: [Dean] basically is the one who surprises me and disappoints . . . because he is trying to save his neck and doing so easily. He is not, to hear him tell it, when I have talked to him, he is not telling things that will, you know—

H: That is not really true though. He is.

H: That is the real problem we've got. It had to break and it should break but what you've got is people within it . . . who said things and said them, too, exactly as Dean told them.

APRIL 17, 1973, 12:35 P.M.

The Oval Office. Present: the President, Haldeman, Ehrlichman and Ziegler.

For nearly two hours, the threat from Dean dominates the conversation.

P: You see Dean—let's see, what the hell—what's he got with regard to the President? He came and talked to me, as you will recall, about the need for \$120,000 for clemencies—

E: You told me that the other day, I didn't know that before.

H: But so what?

P: I said, what in the world John, I mean, I said John you can't [unintelligible] on this short notice. What's it cost [unintelligible] I sort of laughed and said, "Well, I guess you could get that."

E: Now is he holding that over your head? Saying—

P: No, no, no, I don't think Dean would go so far as to get into any conversation he had with the President—even Dean I don't think.

The discussion turns to the constant pressure and unceasing disclosures.

P: The point is can we survive it? Can Haldeman and Ehrlichman survive it? The point that I . . . I know that as far as you're concerned, you'll go out and throw yourselves on a damned sword . . . Damn it, you're the two most valuable members on the staff. I know that.

On the basis of his talks with Petersen, the President knows that the prosecutors are paying a great deal of attention to the \$350,000 that was raised for the convicted burglars, and to the roles played by Ehrlichman and Haldeman in that effort.

P: Have you given any thought to what the line ought to be—I don't mean a lie—but a line, on raising the money for these defendants? Because both of you

were aware of what was going on you see—the raising of the money—you were aware of it, right?

E: Well, Mr. President, when the truth and fact of this is known, that building next door is full of people who knew that money was being raised for these people.

P: E.O.B.?

E: Yes, sir, just full of them.

P: Many who know but there were not so many actors. In other words, there's a difference between actors and noticees.

E: I want you to think very critically about the difference here between knowledge of the general transactions going on, on the one hand, and being an affirmative actor on the other, because that's the difference between Dean and me. Now on this business on whether Dean should have immunity, I think you have to ask yourself really, the basic question, whether anybody in the White House who does wrong, ought to get immunity, no matter how many . . . he implicates.

The President agrees that Dean should not be given immunity and notes that Chuck Colson feels the same way.

P: I can call Petersen in and say he [Dean] cannot be given immunity . . . Whether he'll carry that order out—that's going to be an indicator that that's Dean and [unintelligible]. And then what do I say about Dean. Do I tell him that he goes?

E: Well, you see, the thing that precipitated Colson's coming over is that he found that Dean was still here . . . Colson called and says you've got an ass at your bosom over there, and so, today he checked again . . . and discovered that Dean was still here . . . He came in and he says, "You guys are just out-of-your-minds" . . . He was fit to be tied.

P: But you see if I say, "Dean, you leave today," he'd go out and say, "Well the President's covering up for Ehrlichman and Haldeman."

P: We've got to remember . . . he's going to do anything to save his ass.

Nonetheless the decision is made to keep Dean away from the White House without actually firing him ("Pass the word to everybody in this place that he's a piranha," Ehrlichman suggests). Nixon needs no urging. He emphatically makes the point that Dean never saw him alone until March, and then only at Ehrlichman's suggestion. He declines responsibility for Dean's conduct.

It is finally decided that Nixon will make a statement on television announcing that he has ordered a full investigation and will automatically suspend any White House staffers who are indicted by the grand jury and fire any who are convicted.

APRIL 17, 1973, 2:46 P.M.

The Oval Office. Present: the President and Petersen.

Nixon bears down hard on Petersen not to grant immunity to Dean. With immunity, Dean can get off scot-free or escape with prosecution for a minor offense in exchange for talking freely. Petersen tries to resist Nixon, but the pressure is intense.

HP: I don't want to immunize John Dean; I think he is too high in the echelon but—it's a—

P: The prosecutor's got the right to make that decision?

HP: Yes, sir.

P: I think it would—look—because your close relationship with Dean—which has been very close—it would look like a straight deal.

HP: The thing that scares the hell out of me is this—suppose Dean is the only key to Haldeman and Ehrlichman and the refusal to immunize Dean means that Haldeman and Ehrlichman go free.

P: . . . I cannot . . . in good conscience and you can't in good conscience say that you are going to send Haldeman and Ehrlichman—or anybody for that matter—or Colson—down the tube on the uncorroborated evidence of John Dean.

Later, reviewing how the whole mess began, Nixon says, "Mitchell wasn't minding the store and Magruder is a weak fellow . . . and then afterwards they compounded it . . . basically they were trying to protect Mitchell—let's face it." Then there is this exchange.

P: What would you do if you were Mitchell?

HP: I think I would probably go to Saudi Arabia to tell you the truth.

P: Poison.

As Nixon's TV date draws near, Petersen begins advising the President on what should be said. At one point, he comments: "Damn, I admire your strength. I tell you." And Nixon replies: "Well, that's what we are here for." At another, Petersen recounts how he has told Silbert: "Now dammit, Silbert, keep your eye on the mark—we are investigating Watergate—we are not investigating the whole damn realm of politics."

APRIL 17, 1973, 3:50 P.M.

The Oval Office. Present: the President, Haldeman, Ehrlichman and Ziegler. By this time, the group is resigned to Dean's blasting the Administration. Still, Ehrlichman finds cause for optimism.

E: The more battles the President wins, like the economical stabilization performance, the more urgent the Ervin hearings become. It's the only thing they have left now. You're winning all the big ones.

APRIL 17, 1973, 5:20 P.M.

E.O.B. Present: the President, Haldeman, Ehrlichman and Secretary of State William Rogers (R).

Waiting for his two aides to return from a first meeting with their lawyer, John J. Wilson, Nixon chats with Rogers. "Dammit," he says of Dean, "why didn't he come in earlier and tell me these things, Bill?" Nonetheless, he seems confident.

P: This'll be in better perspective in a year, I think.

R: I think so. I think . . . well, the first blush will be . . .

P: Terrible.

R: But when it's all over—finished . . .

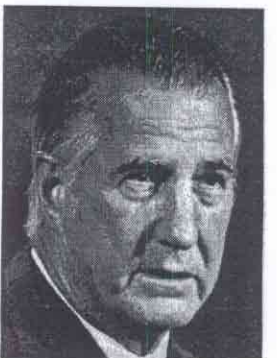
P: I'll be here, all along, Bill.

When Haldeman and Ehrlichman return from their meeting with Wilson, Nixon offers a suggestion.

P: Both of you, and Bob particularly, you ought to get yourself a libel lawyer, Bob, and use the most vicious libel lawyer there is. I'd sue every [expletive deleted] . . . that also helps with public opinion.

P: John, this libel thing. You may as well get at the libel thing and have yourself a little fun.

E: Might make expenses.



ELLIOT RICHARDSON; CHARLES COLSON; SPIRO AGNEW

APRIL 19, 1973, 8:26 P.M.

E.O.B. Present: the President, Wilson (W) and Frank Strickler (S), attorneys for Haldeman and Ehrlichman.

This is basically a mutual get-acquainted session. Says Wilson: "We admire you so much—we both are dyed-in-the-wool Republicans." Strickler notes that he was at the Shoreham on election night.

P: You were there? Oh boy. That was a great night? Well, that was what it was all about.

S: Yes, it sure was.

P: Well, we'll survive this. You know—people say this destroys the Administration and the rest—but what was this? What was Watergate? A little bugging! I mean a terrible thing—it shouldn't have been done—shouldn't have been covered up . . . and the rest, but we've got to beat it. Right.

APRIL 27, 1973, 5:37 P.M.

The Oval Office. Present: the President and Petersen.

HP: We had a kind of crisis of confidence night before last. I left to come over here and I left my two prin-

cipal assistants to discourse with Silbert and the other three. And in effect it concerned me—whether or not they were at ease with my reporting to you . . .

P: Yes . . .

HP: There is a very suspicious atmosphere. They are concerned and scared.

Nixon himself is concerned—and possibly scared—about another matter. He has heard rumors that the New York Times has information linking him directly to the cover-up.

P: We have gotten a report that, ah, that really we've got to head them off at the pass. Because it's so damned—so damn dangerous to the Presidency, in a sense.

P: Information indicating that Dean has made statements to the prosecuting team implicating the President. And whether . . . the [Washington] Post has heard similar rumors. Now, Henry, this I've got to know.

APRIL 27, 1973, 6:04 P.M.

The Oval Office. Present: the President, Petersen and Ziegler.

Only minutes after Nixon has expressed his fears

An Intimate Glimpse of a Private President

Apart from the evidence it provides about the President's critical conversations, the edited transcript furnishes a potpourri of marginalia that limn the style and character of the Nixon White House. A representative sampler:

NIXON ON OTHERS

The President's confidential assessments of other men in talks with trusted aides were tough, candid, and often brutal:

Senator Howard Baker. "A smoothy—impressive" but also possessed of a "thick skull."

Senator Sam Ervin. "[Expletive deleted] He's got Baker totally toppled over to him. Ervin works harder than most of our Southern gentlemen."

L. Patrick Gray III. "Oh, he's dumb . . . he is just quite stubborn and also he isn't very smart."

Jeb Stuart Magruder. "Not a very bright fellow. I mean he is bright, but he doesn't think through to the end . . . a very facile liar. Magruder's a sort of lightweight in a very heavy job."

Charles Colson. "Talks too much . . . is also a name-dropper."

J. Edgar Hoover. "Well, Hoover performed. He would have fought. That was the point. He would have defied a few people. He would have scared them to death. He has a file on everybody."

Robert Kennedy. "Bobby was a ruthless [characterization omitted]."

WISHFUL THINKING

For a man proud of his political shrewdness, the President as revealed in the transcript was frequently slow to grasp the full seriousness of the Watergate matter, and he gravely misread the public mood on several important points.

"[Expletive deleted] it is a terrible lousy thing—it will remain a crisis among the upper intellectual types, the soft heads, our own, too—Republicans—and the Democrats and the rest. Average people won't think it is much of a crisis unless it affects them [unintelligible]." (March 13, 1973)

Nixon was strangely sanguine even though the Senate Watergate Committee planned to hold hearings:

"Well, it must be a big show. Public hearings. I wouldn't think though, I know from experience, my guess is that I think they could get through about three weeks of those and then I think it would begin to peter out somewhat." (March 13, 1973)

AS DECISION MAKER

Contrary to the President's carefully nurtured image as a cool and dispassionate leader accustomed to tough going, the transcript reveals an indecisive man often dazed by a confusion of conflicting data.

Haldeman's judgment easily prevailed over the President's in this discussion about whether or not to reveal the contents of Jeb Stuart Magruder's grand jury testimony:

P: And I think you should tell [John Connally]—would you tell him about Magruder?

H: Nope.

P: No, I guess not.

P: I think with Bill [Rogers], though, you could tell him, don't you think?

H: Nope. I don't think I should. In the first place, I am not supposed to know.

P: This isn't from the grand jury, Bob.

H: No, I know. But Kleindienst is worried about John [Ehrlichman's] giving the information to anybody, and that—

P: I see. You're right. (April 14, 1973)

ASSESSING THE BLAME

While the President's conversations reveal a complete absence of outrage at his own subordinates for the Watergate imbroglio, he was quick to place the blame on people outside his circle:

"No, I tell you this it is the last gasp of our hardest opponents. They've just got to have something to squeal about." (March 13, 1973)

"They [the Democrats] are having a hard time now.



SENATOR HOWARD BAKER; SENATOR SAM ERVIN; PATRICK GRAY

were aware of what was going on you see—the raising of the money—you were aware of it, right?

E: Well, Mr. President, when the truth and fact of this is known, that building next door is full of people who knew that money was being raised for these people.

P: E.O.B.?

E: Yes, sir, just full of them.

P: Many who know but there were not so many actors. In other words, there's a difference between actors and noticees.

E: I want you to think very critically about the difference here between knowledge of the general transactions going on, on the one hand, and being an affirmative actor on the other, because that's the difference between Dean and me. Now on this business on whether Dean should have immunity, I think you have to ask yourself really, the basic question, whether anybody in the White House who does wrong, ought to get immunity, no matter how many . . . he implicates.

The President agrees that Dean should not be given immunity and notes that Chuck Colson feels the same way.

P: I can call Petersen in and say he [Dean] cannot be given immunity . . . Whether he'll carry that order out—that's going to be an indicator that that's Dean and [unintelligible]. And then what do I say about Dean. Do I tell him that he goes?

E: Well, you see, the thing that precipitated Colson's coming over is that he found that Dean was still here . . . Colson called and says you've got an ass at your bosom over there, and so, today he checked again . . . and discovered that Dean was still here . . . He came in and he says, "You guys are just out-of-your-minds" . . . He was fit to be tied.

P: But you see if I say, "Dean, you leave today," he'd go out and say, "Well the President's covering up for Ehrlichman and Haldeman."

P: We've got to remember . . . he's going to do anything to save his ass.

Nonetheless the decision is made to keep Dean away from the White House without actually firing him ("Pass the word to everybody in this place that he's a piranha," Ehrlichman suggests). Nixon needs no urging. He emphatically makes the point that Dean never saw him alone until March, and then only at Ehrlichman's suggestion. He declines responsibility for Dean's conduct.

It is finally decided that Nixon will make a statement on television announcing that he has ordered a full investigation and will automatically suspend any White House staffers who are indicted by the grand jury and fire any who are convicted.

APRIL 17, 1973, 2:46 P.M.

The Oval Office. Present: the President and Petersen.

Nixon bears down hard on Petersen not to grant immunity to Dean. With immunity, Dean can get off scot-free or escape with prosecution for a minor offense in exchange for talking freely. Petersen tries to resist Nixon, but the pressure is intense.

HP: I don't want to immunize John Dean; I think he is too high in the echelon but—it's a—

P: The prosecutor's got the right to make that decision?

HP: Yes, sir.

P: I think it would—look—because your close relationship with Dean—which has been very close—it would look like a straight deal.

HP: The thing that scares the hell out of me is this—suppose Dean is the only key to Haldeman and Ehrlichman and the refusal to immunize Dean means that Haldeman and Ehrlichman go free.

P: . . . I cannot . . . in good conscience and you can't in good conscience say that you are going to send Haldeman and Ehrlichman—or anybody for that matter—or Colson—down the tube on the uncorroborated evidence of John Dean.

Later, reviewing how the whole mess began, Nixon says, "Mitchell wasn't minding the store and Magruder is a weak fellow . . . and then afterwards they compounded it . . . basically they were trying to protect Mitchell—let's face it." Then there is this exchange.

P: What would you do if you were Mitchell?

HP: I think I would probably go to Saudi Arabia to tell you the truth.

P: Poison.

As Nixon's TV date draws near, Petersen begins advising the President on what should be said. At one point, he comments: "Damn, I admire your strength. I tell you." And Nixon replies: "Well, that's what we are here for." At another, Petersen recounts how he has told Silbert: "Now dammit, Silbert, keep your eye on the mark—we are investigating Watergate—we are not investigating the whole damn realm of politics."

APRIL 17, 1973, 3:50 P.M.

The Oval Office. Present: the President, Haldeman, Ehrlichman and Ziegler. By this time, the group is resigned to Dean's blasting the Administration. Still, Ehrlichman finds cause for optimism.

E: The more battles the President wins, like the economical stabilization performance, the more urgent the Ervin hearings become. It's the only thing they have left now. You're winning all the big ones.

APRIL 17, 1973, 5:20 P.M.

E.O.B. Present: the President, Haldeman, Ehrlichman and Secretary of State William Rogers (R).

Waiting for his two aides to return from a first meeting with their lawyer, John J. Wilson, Nixon chats with Rogers. "Dammit," he says of Dean, "why didn't he come in earlier and tell me these things, Bill?" Nonetheless, he seems confident.

P: This'll be in better perspective in a year, I think.

R: I think so. I think . . . well, the first blush will be . . .

P: Terrible.

R: But when it's all over—finished . . .

P: I'll be here, all along, Bill.

When Haldeman and Ehrlichman return from their meeting with Wilson, Nixon offers a suggestion.

P: Both of you, and Bob particularly, you ought to get yourself a libel lawyer, Bob, and use the most vicious libel lawyer there is. I'd sue every [expletive deleted] . . . that also helps with public opinion.

P: John, this libel thing. You may as well get at the libel thing and have yourself a little fun.

E: Might make expenses.



to Petersen, the prosecutor returns for yet another meeting and assures the President that there are no specifics to the Dean charges. Nixon tells Ziegler to kill any budding newspaper story on the subject and "kill it hard."

P: Take a hard line . . . Anything on that they better watch their damned cotton picking faces. Because boy, if there's one thing in this case as Henry will tell you, since March 21st when I had that conversation with Dean, I have broken my ass to try to get the facts of this case.

P: If there's one thing you have got to do, you have got to maintain the Presidency out of this. I have got things to do for this country and I'm not going to have—now this is personal. I sometimes feel like I'd like to resign. Let Agnew be President for a while. He'd love it.

Toward the end of the 44-minute session, Petersen decides to get something bothering him off his chest. Citing a personal example, he brings up the growing public doubt that the President is telling all that he knows about the Watergate cover-up.

HP: Mr. President, my wife is not a politically sophisticated woman . . . But she asked me at breakfast

—she, now I don't want you to hold this against her if you ever meet her, because she's a charming lady—

P: Of course.

HP: She said . . .

P: "Why the hell doesn't the President do something?"

HP: She said, "Do you think the President knows?" And I looked at her and said, "If I thought the President knew, I would have to resign." . . . Well, when that type of question comes through in my home—

P: We've got to get it out.

Three days later, what gets out is Nixon's announcement that Haldeman, Ehrlichman, Dean and Kleindienst have resigned, that Elliot Richardson is being appointed Attorney General with authority to name a special prosecutor and that he, the President, takes full responsibility for what has happened. Nixon also recalls that at his second inaugural he gave each Cabinet member and senior White House staffer a special four-year calendar marked to show how many days remained in his Administration. It began with 1,461, and on the day he delivers the speech, he says, "It showed exactly 1,361 days remaining in my term." More than a year has passed, Watergate is far from over, and the figure on the President's special calendar is now down to just under 1,000.

They got the hell kicked out of them in the election . . . But the basic thing is the establishment. The establishment is dying and so they've got to show that despite the successes we have had in foreign policy and in the election, they've got to show that it is just wrong just because of this." (March 13, 1973)

THE KENNEDY SPECTER

In the view of Nixon and his men, Teddy Kennedy loomed large as the individual who might have the most to gain from the entire Watergate affair.

D: I am convinced that he [Senator Ervin] has shown that he is merely a puppet for Kennedy in this whole thing. The fine hand of the Kennedys' is behind this whole hearing. There is no doubt about it . . .

P: Yes, I guess the Kennedy crowd is just laying in the bushes waiting to make their move. (Feb 28, 1973)

On one occasion, Dean brought up an FBI agent's idea for collecting information on the Democrats. The President's reply:

"If he would get Kennedy into it, too, I would be a bit more pleased." (March 13, 1973)

The President and his immediate circle of advisers were also worried that Kennedy would exploit the Ervin hearings for his own advantage, going on television to give his version of the events.

AS A LAWYER

Though an attorney himself, the President was often vague and uninformed on various questions of law raised by Watergate. At one point Nixon misunderstood the legal niceties involved in preparing the original Watergate defendants for their testimony:

P: Did Mardian coach them?

E: In some cases Mardian, I guess, was very heavy-handed about it, and—

P: Well, is there anything wrong with that?

E: Yeah, well there's something wrong with—

P: He was not their attorney is the problem?

E: Well, no, the problem—the problem is he asked them to say things that weren't true.

P: Oh. (April 15, 1973)

P: What did he [Egil Krogh, deputy assistant to

the President for domestic affairs] perjure himself on, John?

D: Did he know the Cubans. He did.

P: He said he didn't?

D: That is right. They didn't press him hard.

P: He might be able to—I am just trying to think. Perjury is an awful hard rap to prove. If he could just say that I—Well, go ahead. (March 21, 1973)

SPEAKING IN CODE:

In the Oval Office, Nixon and his closest aides often employed a kind of verbal code—a jargon clearly familiar to everyone present. It was a mixture of Madison Avenue, locker room and pop psych—the shorthand of the club:

"Stonewall, with lots of noises that we are always willing to cooperate, but no one is asking us for anything." (Dean, on how to reply to embarrassing questions, March 20, 1973)

P: The reason I raise the question of Magruder is what stroke have you got with Magruder? I guess we've got none. (March 27, 1973)

D: If we go that route, sir, I can give a show we can sell them just like we were selling Wheaties on our position. (March 21, 1973)

P: All right, let's leave it this way—you will handle Baker now—you will babysit him starting like in about ten minutes? Alright? (March 22, 1973)

NIXON ON NIXON:

Occasionally in the transcripts, the President lapses into a personal assessment, a revealing aside on how he views himself:

"I believe in playing politics hard but I am also smart." (March 27, 1973)

"I mean, after all, it is my job and I don't want the presidency tarnished, but I am also a law enforcement man." (April 14, 1973)

"And damn it I am that kind of person. I am not one who is going to say, look, while this guy is under attack, I drop him. Is there something to be said for that, or not?" (April 14, 1973)

"Nobody is a friend of ours. Let's face it! Don't worry about that." (March 13, 1973)



J. EDGAR HOOVER; ROBERT KENNEDY; EDWARD KENNEDY