

When Richard Nixon "X-rated" himself, the sacred Oval Room and the White House itself, as he did the night of April 30, 1974, the kindest words describing what no president had ever done or dared do before him came from his strongest supporters.

This was natural enough, as Nixon's performance was natural for him.

Conservative columnist James J. Kilpatrick, who earlier had been editor of the racist Richmond (virginia) News-Leader, ended his review of the Nixonian dialogue with more modest commentary than he had used earlier. (WTOP-TV 5/4/74): "sleazy, unworthy thoughts that I'm ashamed of."

Conservative Columnist Joseph Alsop, devote of the military and of Nixon, exponent of war against small national no matter how waged, really raved. (WxPost 5/31/74)

"Sheer flesh-crawling revulsion is the natural reaction of any American ~~is~~ is the way he began his four-starring of what he headed as "Repallent Tapes." Before concluding that "in the end, it may be that these repellent tapes will help President Nixon more than hurt him," a correct reading of Nixon's X-rated design, Alsop included in his review language never ~~seen~~ read on the movie pages, like

"The moral atmosphere the tapes reveal is that of the worst kind of old-fashioned stop-at-nothing courthouse gang<sup>o</sup>!"

And thus it was, beginning on Tuesday, the last day of April, 1974, that Americans learned that fuck, shit and screw were the common expressions of their Glorious Leader and his strange crew of personally-selected gauleiter, the words that resounded from all the White House walls, not only those of the Oval Room.

Richard Nixon that night pre-empted all prime-time TV to tell the people that he was telling all about what had come to be known by the code name The Watergate. True to his word, he published it. And true to the spirit of government under his control, the 1308 pages of the sleazy, the repellent and of moral decay at the Government Printing Office was simultaneously sold at a whopping profit, \$12.25 a copy, and scarce.

At \$12.25 a copy, Nixon's government never produced enough copies, not even with the world's largest printing plant. Soon there was a glut of millions, sold profitably for less than a quarter of that price.

Richard Nixon seized a land of plenty and of over-production and in his own sui generis way made it a land of scarcities where none had ever before existed. During those five long year, to use a variant of one of his campaign cries of the past, the domestic cheese I buy had more than doubled in price. So had gasoline. And both were commonly not readily available -for the first time in American history.

Richard Nixon seized the White House and gave it a "moral atmosphere" inferior to that of the crudest political dirty-works that characterized the worst in American political life.

His campaign promise had been th t he would take crime off the streets.

He kept that promise by moving crime into the White House.

Thus, at what to then was his moment of greatest peril, he X-rated himself in a not often understood effort to defendx himself and all those he still wanted to defend who had done his criminal bidding.

By then he had cannibalized others. That night he cannibalized still more of his faithful.

Survival instict wells strong in Richard Nixon. Without it and without inhibition on it he would never becôme President. There was and there never had been a time when he would not do whatever he believed his survival required.

And so, when he became the first President who had a good chance of going to jail and the first who proved he belonged there, he decided to release not what he represented, the full story, but his edited versions of those of his tapsings of almost all his private conferences with those who did not know he was bugging them.

It was a big deal by its nature but not in fact. In fact the worst was already out of his control and at some point in the future would be publizized. Instead of facing that crushing probability in the future and in some official proceeding against him, Nixon decided to release his selections himself and to present it falsely as his dedication, his personal effort to tell the people all. (White House synonymy, "let it all hang out.)

The mere act of taping was a criminal offense, but not for the man who controlled all the machinery of justice. Only for everyone else in the land.

Typical of Richard Nixon, he committed this crime at public expense.

The unconsulted taxpayers bore all the not inconsiderable cost, from the purchase of the equipment and the countless thousands and thousands of feet of tape to the installation and maintainance, it all came from the Treasury.

That Nixon had been bugging everyone else was well known long before he published what he let be published. Only the exact words with which he and his cronies had actively conspired to violate all the other laws that stood between them and ambition was unknown.

Those words were no less a shock to the shocked and still stunned land than the feality of what had been going on in the White House.

Nixon's entire career is one of daring what normal men - one is tempted to emphasize the inference of abnormality - would not conceive. For this Nixon this disclosure and the expectable shock were a typical, not an exceptional act.

He was desparate, desparate as none of the extensive media coverage had begun to let the people know. It "hung out" but was unseen in an incongruous switch on the fable of The Emperor's Clothes.

This seemingly desparate act was merely the lost and most stunning in a long catalogue of the unprecedented.

Joe Alsop, Nixon partisan, while he was vomiting, saw this clearly, <sup>as</sup> ~~Here are other~~ <sup>show.</sup> quotations from the same column, written in the moment of regurgitation, They provide a partisan's, which is to say as favorable as possible, opinion of the situation in which Richard Nixon really was almost two years after his gang of bagmen had been caught in an inept and stupid attempt to burglarize Democratic National Committee headquarters and to replace one of two ~~ear~~ electronic bugs the same gang had installed earlier. In the ensuing months a ~~wide variety~~ truly astounding catalogue of criminal charges has been laid against ~~the~~ Nixon and his minions from cabinet rank down, against his very closest and personally-selected White House assistants and a motley lesser crew of a character never before assembled by any President or by the head of



state not an overt distastefulship. Merely keeping a record of those who had been tried and convicted, those who had entered pleas of guilty rather than face trial and more severe penalties, those in jail or about to enter, those who had completed their sentences, those still to be tried, those against whom charges were pending and those disbarred (a high percentage were lawyers, including Nixon's <sup>resigned,</sup> personally-selected Vice President, Spiro Theodore Agnew, a self-confessed felon and cheap grafter and tax-evader), becomes impossible for a writer without a research staff.

Crimes attributable to Nixon personally ran the course of the law books. Besides the seamiest of political transgressions, they ranged from misuse of office to using public money for personal gain and personally and on his personal property to ~~the~~ wholesale gyping on his taxes, the estimates of his own government and of a friendly-disposed Congressional committee (he picked it out). They included even using the agencies and the power of government for vengeance on those he didn't like. The inconceivable reality is that there was nothing too petty to be below his criminal interest.

To fully appreciate the nature of Alsop's defense it should be recalled that aside from media reporting of entirely unprecedented extent (despite which in my opinion it was entirely inadequate), there had ~~by~~ then been two public <sup>Senate</sup> ~~Congressional~~ investigations and not fewer than three secret inquiries by both Houses. And there was just beginning an impeachment inquiry - it was never an investigation - by the Judiciary Committee of the House of Representatives, after which, if it voted impeachment, which is the equivalent of an indictment, and a majority of the House agreed, there would be the equivalent of a trial by the Senate, where<sup>a</sup> a guilty verdict required the vote of two-thirds of the 100 members.

Simultaneously, aside from what by comparison is minor trials in other, local jurisdictions, the Office of Special Prosecutor, established at the insistence of the Congress as pretendedly independent of the Department of Justice, which Nixon controlled, supposedly was investigating the whole "flesh-crawling repulsion" that, in focusing on all those countless felons installed by Nixon, necessarily endangered him personally.

Never in history - anywhere in the world - had there been anything like it.

Unlike overt dictatorships, where even worse was the norm, much of this was public. The people were deceived into believing that all of it was. But the worst had not yet come to light, as Nixon knew, one of his motives in his daring self-exposure the obscenity of which was limited to the degree he dared.

With this brief background there is a limited basis for comprehension of the character of the Alsopian defense concluding "that those repellent tapes will help President Nixon more than they hurt him, at least in his fight for survival."

"Being repellent is not an impeachable offense - even in the presidency."

"Giving though to committing a crime is not an impeachable offense, provided that the crime is then decided against." (legally and factually an Alsopian error.)

"So the question is not whether the President is a nice man, or whether he thought about breaking the law and might even have done so..."

"...or whether his strange ways of doing business formerly populated the White House with bottom-dwelling slugs..."

"In fact it is knowledge of crimes committed in his behalf and consequent participation in these same crimes, that makes a President properly impeachable."

As one would expect of a true-believer and long-time partisan and fellow-thinker in politics and policies, this defense is a rather large understating of what was then known as it was of what Nixon has just spread across the world's front pages.

So biased is Alsop that those already convicted, those awaiting trial and those yet to be charged are not in a single instance described as "bottom-dwelling slugs." Alsop reserves this epithet for the one man in the entire Nixon swamp to begin the confessions and indictments and to begin with confessing his own criminality.

But with this as the defense of the stalwart partisan, how much more awful must the whole truth be and what in the work could have required Nixon to display his ugly nakedness in full color if still distorted and suppressed to the degree months of thought and scheming told him he had to attempt?

Why would any man, any President - so besmirch himself and the office?

It was not an impulsive indecency. It was coldly premeditated.

It was not a failure for Nixon, either.

In the overall strategy by which he had delayed retribution by almost two years it may in the end be regarded as the most brilliant of a series of moves nobody else would have conceived or dared. It did for Nixon exactly what he wanted it to do for him.

It worked. This is the true test.

While it may be attributed to coincidence it is also possible that the timing was part of this fantastic inversion of the classic von Clausewitz dictum, politics for Nixon is war by other means. The timing was just after the major newsmagazines with their multimillion circulation and enormous influence went to press with that week's issues. It was also calculated to be too late for any but the merest mention in the early editions of all but the west coast's morning papers from which so many get their day's news. And it was other than on nationwide TV Nixon said he ~~was~~ had done. He had not then released the 1308 pages of texts. He released only his televised version, which was carefully written to make indecency appear to be decent, which put a pretty mask on the ugly monster, which made his act of political desperation appear to be a dedication to the public good. In fact, the next morning the White House still withheld the texts Nixon had told the world he had already released. Instead it gave the media a 50 page summary of its own, the only available version until really too late for adequate coverage in the ~~major~~ medium by which most people get their news, the network TV newscasts.

As it must to distort events in its favor and to prepare the public to accept the unacceptable, the White House had been leaking hints, bits and pieces to the press. Time magazine dated May 6 but already then printed, combines these White House dribblings with its own reporters' work and a more than credible prescience in its lead story, printed before Nixon spoke, titled "The President Prepares His Answer." Excerpts from it set the stage for this unprecedented Nixon attack that is the ultimate in personal daring:



# The President Prepares His Answer

This week loomed among the most fateful yet in Richard Nixon's year-long struggle to salvage his presidency and stave off impeachment. He had until Tuesday to reply to the House Judiciary Committee's subpoena of 42 tapes relating to his role in Watergate, a deadline oft-deferred but now inescapable. In preparation, as he had done in past crises, he retreated to the quiet of Camp David to work out his response on his long yellow legal pads. The best indications were that it would be an attempt, aimed at the American people, to justify a less than full reply to the committee. In a White Paper and likely an evening television address to the nation, he was expected to explain that although he was not turning over the tapes demanded, he was delivering edited transcripts of the relevant conversations on the tapes on such a scale as to prove his innocence and make further demands unnecessary.

**One Last Request.** To the very end, the President sought to postpone the day of reckoning. For more than a month after the committee asked for the tapes on Feb. 25, White House aides portrayed the request as unduly broad, a fishing expedition that called for enough material to fill a U-Haul trailer. Not until several days before the committee's formal subpoena of the recordings on April 11 did Nixon order aides to locate and transcribe the tapes. Last week, at Presidential Counsel James St. Clair's request, the committee extended its deadline by five days. "Having gone the last mile [with Nixon]," Chairman Peter Rodino explained, "we want to accommodate him with this one last request."

Deputy Presidential Press Secretary Gerald L. Warren said that Nixon needed the extension because he had been too busy with the press of other business—particularly economic and foreign affairs—to prepare his response to the committee. Privately, however, aides suggested that Nixon actually wanted more time to search for a way to satisfy the committee without turning over the subpoenaed tapes.

His problems were compounded by the necessity of figuring out how to respond to a second subpoena, which came two weeks ago from Special Prosecutor Leon Jaworski. It demanded 64 tapes of presidential conversations with aides from June 1972 through June 1973 that dealt primarily with the Watergate cover-up; included were 24 tapes asked for by the Judiciary Committee. Federal Judge John J. Sirica ordered that the White House answer the subpoena by this Thursday. Presidential aides thought it unlikely that the deadline could be met. But it was possible that Nixon was seeking a way to dispose of both subpoenas at once, in another grand effort to get free and clear of Watergate once and for all.

As Nixon considered the alternatives, there were signs of growing tension in the White House. He held frequent marathon meetings with his closest advisers on Watergate. On four occasions, he escaped from the pressures by cruising on the Potomac River aboard the presidential yacht *Sequoia*. Such cruises in the past have signaled presidential anxiety, and his inner turmoil was shared by his top aides. They seemed confused and uneasy, fearful that no satisfactory way could be found to avoid a confrontation with Congress and anxious about the effect of such a showdown on the U.S. public.

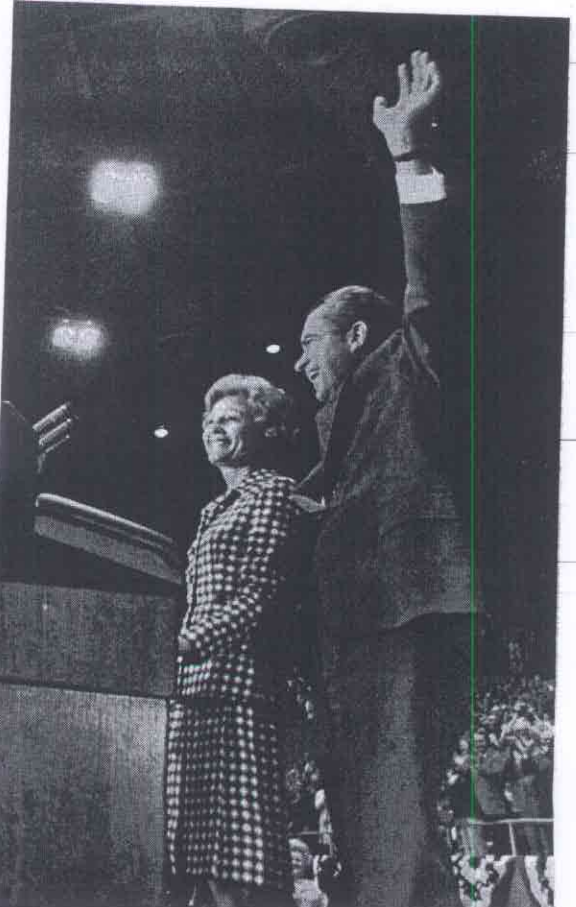
To help prepare Nixon's response, White House Counsel J. Fred Buzhardt spent four weeks locating the tapes in question on six-hour reels stored in the Executive Office Building, isolating segments that corresponded to the subpoenaed conversations and transcribing them by hand. The tapes were reportedly sometimes almost inaudible, requiring hours of tedious replaying to decipher the conversations and identities of the speakers. Said one associate: "Fred's ears have fallen beneath his collar at this point." After studying each of the transcripts and consulting with St. Clair, Buzhardt turned them over to Nixon. Aides assumed that the President, in reviewing the transcripts, was insisting

that non-Watergate matters be excised, as well as his frequent obscenities, in preparing texts to be handed over to the Judiciary Committee.

The committee seemed unlikely to be appeased by such partial compliance with the subpoena. Nearly all of its members, including most of the Republicans, have repeatedly insisted that Nixon turn over the tapes entire. In a clear warning last week to the President, House Minority Leader John Rhodes of Arizona said: "The committee will have to be convinced that all of the relevant material is made available." He has suggested that the committee might agree to a compromise that would permit Rodino, Ranking Republican Edward Hutchinson of Michigan, Chief Counsel John Doar and Minority Counsel Albert Jenner to listen to the tapes and excise the irrelevant portions. Nixon gave no hint that he might accept such a verification process, but it could not be ruled out.

**White Paper.** What was certain was that Nixon was orchestrating a major campaign to win public support for a limited response to the subpoena, apparently in hopes of forcing the committee to accept it. An aide said that the blitz probably would include a prime-time television speech. In addition, White House Speechwriter Ray Price worked all week on a White Pa-

DIRCK HALSTEAD



THE PRESIDENT & HIS WIFE ACKNOWLEDGE APPLAUSE IN MISSISSIPPI





Now in even Nixon's editing of Nixon's selection of Nixon's secret and illegal bugging - despite Nixon's own deliberate omissions from the tapes partly disclosed and those suppressed in their entirety. the self-portrait, once examined in other than his gross misrepresentation of them, is of a sick man drunk with power and disposed to use it for personal and illegal ends; of a plotter of conspiracies and a participant in those plotted for him; or a man who would and did frame others; of a foul-mouth for whom profanity substitutes for vocabular limitations; of a corrupter of men and of laws; of a common crook scheming new crookedness to hide that already committed; of a corrupter and defamer of the Constitution he was sworn to uphold and defend; of a briber of his own minions in crime; and without exhausting the miserable mess by any means, as an obstructor of justice who plotted still new obstructions of justice.

Surely no public figure has ever presented so hideous a view of himself is so public a self-exposure.

Is he just plain crazy, for which a case can be made? Is this why?

No, crazy or not, what he did is quite the opposite of insane.

Only he knew all that could be laid to him, all the crimes ordered, planned and committed. Only he knew what had not yet come out. Only he knew all the ways in which further criminality, like murder most foul, would out.

And only he, if he took counsel from his new crew, the one that replaced those he had to let go because of their caught criminality, knew that he had no remaining clean alternative.

He was so boxed in that this monstrous thing he did was the best of his alternatives, all of which were much worse for him.

This, or course, raises questions of the alternatives and more, the new urgency, the new need.



Richard Nixon was scared, just plain scared, because any alternative would do him in.

In one of the moments of greater crisis, March 21, 1973, when James McCord's letter making the accusations that opened the whole thing wide again had been delivered to Judge John Sirica, he met with Haldeman, Ehrlichman and Dean. The tape of that meeting in his Executive Office Building office at the end of the day reflects their consternation.

At one ~~point~~ point in their quest for scapegoats - his former lawyer partner, supposed friend, ~~and~~ first Attorney General and twice campaign manager John Mitchell was here in their sights - Nixon blurted out, "What the hell does one disclose that ~~isn't~~ isn't going to blow something?"

And was there any one of these many somethings that could not blow Nixon?

This, too, was part of his problem.

The presumption of innocence is inherent in our system of justice. It applies to presidents, too.

But as one analyzes any situation, especially political situations, the truth is not extracted by presuming innocence. All the relevant known facts must be examined also with ~~from~~ the presumption of guilt.

How would Nixon act if he were guilty? He would fear that ~~any~~ it was not possible to make any disclosure that would not "blow something."

He would act exactly as he did.

Would he act as he did if he were innocent? Obviously not. Each new disclosure, each new act, each failure to act when called upon to act was hurting him more, everywhere.

His only real alternative was to admit guilt, and that he could not and would not do.

This was the essence of his problem.

He elected to address it in his phrase popularly attributed to Mitchell, "When the going gets tough, the tough get going."

But in the combination of explosive situations he faced, the danger was that when the tough got going, the going got tougher.