

What the President Meant

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WHAT WAS THE PURPOSE of the White House sponsored burglary of the office of Daniel Ellsberg's psychiatrist, Dr. Lewis J. Fielding, late in the summer of 1971? Was it undertaken exclusively as part of an effort to acquire information needed to make a judgment on Daniel Ellsberg's potential as a security threat? Or was it undertaken, at least in part, to acquire information of a personal and embarrassing nature for potential use in smearing and discrediting Mr. Ellsberg? Was it, in other words, inspired solely by a concern for national security—or by a variety of motives including a desire to get damaging personal and private material about Mr. Ellsberg into the public domain? The question is an important one. Everybody after all—including President Nixon—has publicly deplored the break-in itself, after the fact, as a wrongheaded and misguided enterprise. But there remains a dispute as to what the overall objectives were of those who organized and authorized the crime in the first place. In yesterday's indictment of six men in connection with the burglary of Dr. Fielding's office (John Ehrlichman, Charles Colson, G. Gordon Liddy, Bernard L. Barker, Felipe De Diego and Eugenio Martinez), the grand jury evidently gave some credence to the view that exposing Mr. Ellsberg's privileged conversations with his doctor was at least one object of the crime itself. Thus, it charged that the following "overt acts" occurred prior to the break-in:

✓ *During the week of August 22, 1971 Charles W. Colson and David R. Young had a conversation in which Colson and Young discussed providing money for E. Howard Hunt Jr. and G. Gordon Liddy and preparing a plan to disseminate information regarding Daniel Ellsberg.*

On or about August 26, 1971, David R. Young sent a memorandum to John D. Ehrlichman which referred to "Hunt/Liddy Project No. 1" and stated that Charles W. Colson would get "the information out" on Ellsberg.

On or about August 27, 1971, John D. Ehrlichman sent a memorandum to Charles W. Colson entitled "Hunt/Liddy Special Project No. One" which requested Colson to prepare a "game plan" for the use of materials to be derived from the "proposed undertaking by Hunt and Liddy."

As with the charges that were made in the indictments last week concerning the cover-up of the burglary of Democratic headquarters in 1972, it is important to remember that we are dealing with unproved allegations here. But it is to presume no one's guilt and to compromise no one's rights to observe that, taken together, the two Watergate indictments handed down to date challenge in some fundamental ways Mr. Nixon's public account of his purposes in both matters. In the Ellsberg affair, the President has told us that his instructions to the 'plumbers' unit involved finding out "all it could about Mr. Ellsberg's associates and motives" and that

he was acting out of a sense of "the crucial importance of protecting the national security." There was no suggestion in any of this of a "game plan" to publicize, for any purpose, whatever was learned about Mr. Ellsberg's "associates and his motives."

By the same token, Mr. Nixon has consistently asserted that his only intention in the early months of last year, with respect to the break-in at the Watergate, was to "get this story out, get the truth out." The Watergate grand jury, however, has built a large part of its indictment on allegations of a whole series of acts by Mr.

Nixon's closest associates that were expressly designed to keep the truth from coming out. This is the basic contradiction concerning the President's involvement in the Watergate cover-up. There are other contradictions, however, within Mr. Nixon's own accumulated statements on the subject that do not do very much for his case. We call one of these to your careful attention. Last August 15, in a statement to the American people, the President said of his critical March 21, 1973, meeting with John Dean and H. R. Haldeman:

I was told then that funds had been raised for payments to the defendants with the knowledge and approval of persons both on the White House staff and at the re-election committee. But I was only told that the money had been used for attorneys' fees and family support, not that it had been paid to procure silence from the recipients.

On Wednesday night the President, referring to the same meeting, and the same revelations from Mr. Dean, said the following:

And for the first time on March 21 he [Mr. Dean] told me that payments had been made to defendants for the purpose of keeping them quiet, not simply for their defense.

Thus, in his August statement and subsequent accounts offered during that same month of last year, the President cast the whole discussion of buying silence in hypothetical terms—strongly suggesting that the issue was being put to him as a proposition about which he was still free to decide. On Wednesday night, however, Mr. Nixon described a quite different situation—one in which he, was actually informed of the commission of what he himself acknowledged to be an "obstruction of justice" and a "serious offense."

If this latest accounting by the President is accurate, what followed was strange, indeed. For what the President of the United States then did upon hearing this confession of criminal activity, was apparently to entertain and participate in an extensive discussion about whether to continue it. Again by his own account, the

President and his two guests "examined all the options at great length"—*options*, as if he were weighing alternative proposals for the SALT talks rather than the advantages and disadvantages of perpetuating a criminal conspiracy. True, the President insists that his examination of the "options" ended with an expression of his view that the pursuit of the defendants' silence by yielding to blackmail and requests for clemency would be "wrong." Just what it was that he thought would be "wrong" about it is in dispute, and so is the impact, if any, on the continuing cover-up. The Watergate grand jury has charged that further payments were made that very night.

The President has denied authorizing any such payments. He has also denied authorizing the burglary of Dr. Fielding's office. Wednesday night, in defending himself, in connection with the March 21 meeting, he said: "I know what I meant and I also know what I did." That essentially is the same explanation Mr. Nixon has given of his relationship to what ensued from his instructions to his subordinates regarding the White House investigation of Mr. Ellsberg. What this argument comes down to, then, is that on at least two critical occasions involving the commission of serious crimes, the President's top assistants apparently did not know what he "meant." It is, in our view, not much of an argument.