

Watergate: The Biggest Story

And the Most Intense Moment of Our Lives

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By Benjamin C. Bradley

RED SQUARE in the rain might seem an oddly inappropriate place to recall the basic incredibility of Watergate and to ponder its meaning.

But last week, 20 years after the great American political scandal, a couple dozen reporters and TV cameramen stood under St. Basil's colorful, many-onioned church, doing exactly that.

We were there because a cameo appearance by Richard M. Nixon had been announced—to participate in the photo presentation of three truckloads of humanitarian aid to Russia and to “answer questions.” The real reason we were there was not the humanitarian aid story, with its top-heavy symbolism. What was irresistible was the conjunction of Watergate's 20th anniversary and the chance to ask its long-lived protagonist even a single question, not that there was any real hope of a straight answer.

But the questions that have plagued us for a generation plague us still. How much did Nixon know and when did he know it? Did he really think that there were ends that justified those means? Did Nixon really think he could get away with it? Had he ever felt remorse? Is he sorry now and what is he sorry about?

We all waited for 90 minutes in the rain until some minion was dispatched to say something had “come up” to cause Nixon to change his schedule. The humanitarian aid remained in the trucks, unblest by cameras and unblest by Nixon. The questions remained unasked as well as unanswered.

With no new answers, we are left with our memories.

My overwhelming memory of those

26 months—from the day the five burglars were caught with their rubber gloves on, with the crisp hundred-dollar bills in their pockets and White House phone numbers in their address books, to the president's embarrassingly public final torture—is simply this.

No news story has ever grabbed and held Washington by the throat the way

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Watergate did. No news story in my experience ever dominated conversation, newspapers, radio and television broadcasts the way Watergate did. There were times when you could walk whole city blocks and ride taxis all around town and never miss a word of hearings or press conferences.

There were times when anyone with a friend at The Washington Post couldn't go home at night without calling for a “fill” on the next day's Watergate story. People literally couldn't wait for the radio and TV stations to read the next day's Post stories on the 11 o'clock news.

Looking back, it's easy to forget that The Post published more than 300 Watergate stories. Each was a comparatively small bite of an apple whose size we were to recognize only later. During that first summer (1972), we felt lonely. Few of our colleagues outside The Post were with us, and in the great American tradition, many newspapers seemed to be trying to knock our stories down. We did everything but keep Bob Woodward and Carl Bernstein's heads in a pail of water until they produced more stories—as they did week after week. But we waited in vain for other papers to pick up the story.

Only toward the end of October 1972, when Walter Cronkite devoted two consecutive broadcasts to Watergate, did many editors begin to take The Post's Watergate coverage seriously. I remember the day that Gordon Manning, then a big cheese at CBS News, now at NBC and a former colleague of mine at Newsweek, called up with the good news. Cronkite was going to make us famous, Manning said. He was going to pull our chestnuts out of the fire.

The price for this wonderful gift, Manning announced, was the documents. “We need all the documents,” Manning said, “television is a visual medium.” I told him we had no documents, we had never had any, it was all original reporting. He stressed what a favor he was doing for us. He recalled the length and quality of our friendship.

Finally Manning was persuaded and we were delighted that the visuals in

See WATERGATE, C3, Col. 1

What Watergate wrought: The growing revisionist view. C3.



RANDALL ENOS FOR THE WASHINGTON POST

The Biggest Story

WATERGATE, From C1

Cronkite's great pair of broadcasts consisted almost entirely of montages of Washington Post front pages.

Still, it wasn't until well into the winter of 1973 that the rest of the American press not only joined the hunt for the truth but contributed solid, original reporting of their own. Even so, when the Pulitzer juries, those pillars of the American newspaper establishment, met in New York to choose the best stories of 1972, their disbelief in Watergate was awesome. We had entered our Watergate coverage in the public service category, the most prestigious of all—what we called "Big Casino."

When the jury's verdict was revealed to the advisory board, on which I sat, the results staggered me. Five newspapers had been selected as finalists by the public service jury—but *not* The Washington Post.

When I arrived at Pulitzer headquarters at Columbia University for the actual prize decisions, I was greeted by my fellow board members Newbold Noyes, editor of the Washington Star, and James (Scotty) Reston, the dean of Washington correspondents from the New York Times. They told me they had decided that The Post should be granted the public service award and they intended to overrule the jury.

That was great, I thought to myself, but it was only later that I learned the price. The advisory board overruled two of the three other prizes juries had recommended for Post

reporters—Haynes Johnson's for spot national reporting, and Robert Kaiser's and Dan Morgan's for foreign reporting—and given them to others. (David Broder still got his prize for political commentary.)

By this time, the press was united in pursuit of the story of a lifetime and the government was united in covering it up.

Woodward and Bernstein were refining their most important single contribution to American journalism—persistence. They had no qualms about calling a source back and back and back. And, of course, their persistence paid off.

We pressured them to produce, but once they produced, we pressured them for documentation and for sourcing. We grew more cautious as the story unfolded—in retrospect, often too cautious. I remember not believing—and keeping out of the paper—stories about the plumbers' efforts to discredit Teddy Kennedy. I remember specifically underestimating the importance of the tapes when I first heard that they actually existed.

We worked incredibly long hours—especially Woodward, Bernstein, Howard Simons, Len Downie, Barry Sussman. We could almost feel public support growing despite occasional low moments. The first low moment I remember involved the days just before the 1972 election, when Sen. Bob Dole and Nixon campaign manager Clark MacGregor (and after the election, Republican National Committee Chairman George Bush) belittled The Post's effort,

to put it mildly. None of us saw many Republican big shots socially. The ones I saw, like Henry Kissinger and Pete Peterson, were absolutely convinced we were ruining a great newspaper—and said so openly.

The lowest moment came over our story about a \$350,000 slush fund controlled by White House Chief of Staff H.R. Haldeman from the White House. We had said that campaign official Hugh Sloan had testified about the fund to the federal grand jury investigating Watergate.

We watched the news a lot in those days to see how TV was playing our stories and we were all horrified one morning to see Dan Schorr of CBS shove a microphone into Sloan's face and to hear Sloan deny he had said any such thing to the grand jury.

We went to general quarters and told Woodward and Bernstein to find out what had gone wrong. What had gone wrong was that Sloan had told prosecutor Henry Petersen about the slush fund but Petersen had not questioned him on that subject before the grand jury. We wondered why. Later we learned that the slush fund had \$700,000 in it, not \$350,000.

There were a few days, though, when we were genuinely worried and we knew that our colleagues in the media were wondering whether the story was going to collapse. Sometimes we felt they were hoping, not wondering.

Once the Senate hearings started, followed inevitably by the impeachment investigation in the House, we began to think that it would take the departure of President Nixon to unravel the case. For months I had worried that it would end up as a tie—the press claiming one thing, the president claiming another and the public splitting along party lines.

By early August 1974 it began to look as though Nixon would leave one way or another. The Post had a strange source, revealed here for the first time, in Sen. Barry Goldwater. With Senate Minority Leader Hugh Scott and House Minority Leader John Rhodes, Goldwater made a special visit to the White House to give Nixon the bad news: He did not have the votes to prevent impeachment.

When Goldwater called after that meeting, it was to warn me against writing something that would make Nixon feel that he was trapped. "He is trapped, but don't you bastards say it," is the way Goldwater put it.

Soon after that conversation, we had a staff meeting to warn against any public displays in connection with the resolution of the case. Anything that could be interpreted as gloating or rejoicing was worthy of a firing, if not a firing squad. We decided to give no interviews, to allow no TV cameras in the Post building and to make no statements.

And suddenly it was over. The most intense moment of all our lives. The president had resigned.

I left town almost immediately for an isolated log cabin in West Virginia to finish a book about John Kennedy. A month later I went on a long vacation that Katharine Graham, the publisher who had stood beside us all the way, had decided we all deserved. I chose Brazil—the jungles of Brazil—because I thought at least there would be no talk of Watergate.

When we landed in Manaus, two journalists speaking in heavy German accents met us at the bottom of the landing ramp. I heard the words "Haldeman" and "Ehrlichman"—they were asking about something Haldeman had said to John Ehrlichman. "What did he mean?" they wanted to know. God knows.

Rating the Reforms

From Wars to Budgets to Crimes, They Have't Quite Worked

THE LEGISLATIVE heritage of the Watergate scandal can be seen in four laws:

■ **The War Powers Act**, passed over President Nixon's veto during the firestorm that followed his dismissal of Watergate Special Prosecutor Archibald Cox, requires that a president notify Congress of any troop deployments within 48 hours and receive authorization within 60 days. It represents one of the most direct legislative assaults on presidential power in U.S. history, but it has been honored mainly in the breach.

While there have been 25 notifications consistent with the act, Congress has never used it to restrain a president from putting or keeping American soldiers in harm's way. It came closest in 1983 when President Reagan deployed a peace-keeping force to Lebanon, but even then it extended the clock to 18 months, by which time the troops had been pulled out.

Today, as before Watergate, "the limits on a president's military initiative are defined in large part by the extent of his popularity and prestige," writes historian Stanley I. Kutler—not by law.

■ **The Budget and Impoundment Act of 1974** was designed to curb the Nixon practice of refusing to spend money appropriated by Congress, and also to bring more discipline to the congressional budget process.

The inability of Congress and the president to balance budgets is both the fiscal and figurative heart of governmental gridlock. It is not the result of failed process fixes, however. It reflects deep philosophical differences in spending priorities, compounded by a "free

lunch" mentality that took hold with a vengeance in the 1980s, allowing the public and their lawmakers to fob off today's bills on tomorrow's taxpayers.

■ **The 1974 Federal Elections Campaign Amendments** to the Federal Election Campaign Act of 1971 were designed to limit both contributions and expenditures in federal campaigns. However, a 1976 Supreme Court ruling and loopholes have destroyed ceilings for expenditures and contributions—witness the roughly 130 individuals who gave at least \$100,000 in "soft money" to Michael Dukakis's 1988 presidential campaign and the roughly 250 who gave that much to George Bush's.

The 1971 and 1974 laws also encouraged a proliferation of political action committees (PACs), which were thought at the time to democratize campaign giving by spreading it around in small doses among competing interests. In practice, PACs have contributed to the unprecedented run of noncompetitive congressional campaigns—four consecutive House elections have returned 95 percent or more incumbents to office. In 1990, the typical Democratic congressional incumbent received 20 times more in PAC contributions than the typical Republican congressional challenger.

■ **The 1978 Ethics in Government Act** required financial disclosures by executive and judicial branch officials, restrained the "revolving door" between public and private sector employment and created a special prosecutor (since renamed an independent counsel) to investigate allegations of wrong-doing by executive-branch officials.

—Paul Taylor

In Watergate's Wake: Scandal,

By Paul Taylor

A NNIVERSARIES ARE comments on the present, masquerading as commemorations of the past. Twenty years after a bungled burglary led to a toppled presidency, the self-cannibalizing spectacle of today's political, governmental and media cultures has provoked a new generation of questions about the most picked-over scandal in American political history—Watergate.

The golden-oldie imponderables still linger: Who's Deep Throat? Remind me again, what was all the fuss about? And, of more recent vintage, how come Richard Nixon has been let out of his cage? But a spate of fresher questions have come along, too. They have to do with what Watergate wrought. Did it purify public life and curb presidential abuses of power? Or did it produce a set of cures more poisonous than the disease?

The first interpretation is known by some familiar catch phrases—"The system worked"; "Watergate showed we're a government of laws, not men"; "It made us more vigilant about public corruption." They have occupied the high ground in the popular mind for most of the past two decades, and may well live on in history texts. But at the moment, the second is ascendant.

The revisionist view rests on the worry that government by scandal and trial by media ordeal have become the core matter of the post-Watergate political culture; that cynicism is the only regnant idea in public life today. This sour aftermath is built on a foundation of unhappy paradoxes. Ethical standards for public officials have arguably never been higher, but scandals have never been more numerous and scandal-mongering never more reviled. Titrillating personal exposes seem overexamined; deeper, systemic corruptions seem underreported.

Meantime, congressional government, which enjoyed a brief, post-Watergate boomlet, has proven unwieldy and unworkable. The presidency is a less majestic, less commanding office than it was before Watergate, despite a brief restorative stretch during President Reagan's first term. Virtually all other institutional actors in public life—except, perhaps, for prosecutors—have declined in public esteem and effectiveness as well. Yet the yearning for dynamic leadership is palpable; witness the rise of Ross Perot.

To be sure, blaming this gridlock on a single episode, even one as traumatic as the forced resignation of a president, is simplistic. Today's deep disillusionment with government has multiple fathers, from the memory of Vietnam to the vacuum left by the end of the Cold War, from the decline of political parties to the on-going sore of race relations to the stagnation of middle class standards of living. If you want to reach further back in time, there's always King George III.

But some important chunk of the present disenchantment does reside in what author Suzanne Garment has dubbed the "institutionalization of scandal," and on this front, Watergate looms as a seminal event.

There is the still-lingering shock to the system of the

Voce

Cynicism and

SUNDAY, JUNE 14, 1992 C3

Redemption

scandal itself: a president directing the cover-up of political skulduggery within his administration, then lying about it—this at a time when the ordeal of Vietnam had just given birth to the phrase "credibility gap."

There are also the Watergate aftershocks and backfires: the various reform efforts to keep the government from keeping secrets, to rein in its abuses of power, to raise the bar on ethical conduct. Some have worked. Some have been ineffectual. Some have had consequences no one imagined at the time. A brief rundown of the four most significant laws [see box] that owe their enactment to Watergate illustrates what a mixed track record it has been.

- The War Powers Act requires presidents to notify Congress and get authorization for troop movements, but presidents have continued to act as they have tended to through history—shooting first and consulting later.

- The Budget and Impoundment Act of 1974 was designed to rationalize the federal budget-making process. Three trillion dollars in debt, and numerous other failed process fixes later, no one would argue it has worked.

- The 1974 Federal Elections Campaign Amendments to the Federal Election Campaign Act of 1971, were designed to get fat cats out of the business of campaign financing, but these laws have been weakened over the years by court rulings, lax enforcement and loopholes.

- The 1978 Ethics in Government Act has been controversial from the first, with critics claiming that the threshold triggering independent counsel investigations has been too low, leading to exhaustive inquiries into relatively trivial complaints, such as the maiden one—an investigation into whether Carter White House Chief of Staff Hamilton Jordan had snorted cocaine. (The probe found no grounds to bring criminal charges.) Others complain that independent counsels, once appointed, never seem to go away—witness Lawrence Walsh's probe into the Iran-contra affair, which is still underway five-and-a-half years after it began.

The independent counsel law is only part of a prosecu-

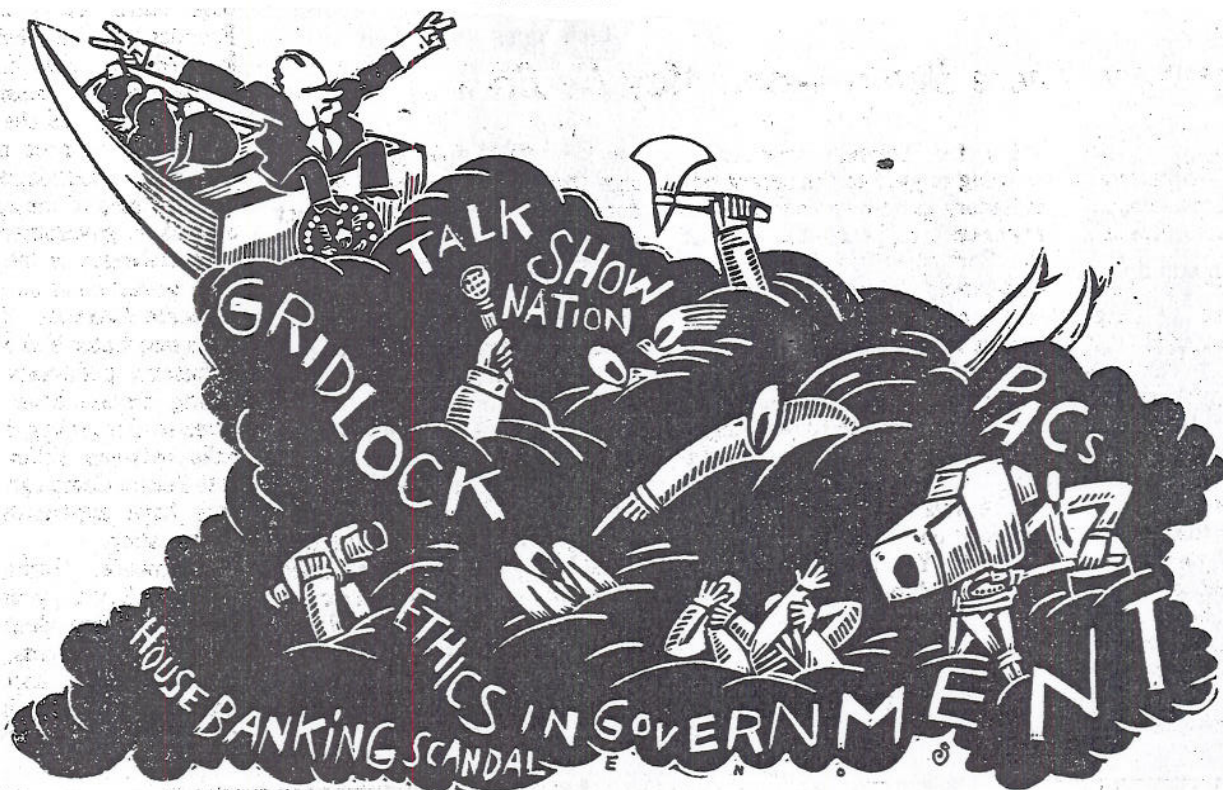
torial culture that has grown by leaps and bounds since Watergate. There are three times more U.S. attorneys today than there were 20 years ago, and, with the creation of a Public Integrity Section in the Justice Department in 1978, prosecutors are devoting ever more time and energy to rooting out public corruption. In 1990, 1,176 federal, state and local public officials were indicted for official wrongdoing, and 1,084 were convicted. The comparable figures for 1971, the year before Watergate, were 160 and 108.

This prosecutorial culture is also sustained by armies of journalists, inspectors general, General Accounting Office

Paul Taylor, a former politics writer, is on his way to cover South Africa for The Washington Post.

ing scandal is the paradigmatic case. There was no taxpayer money involved. There was no scandal. It was a simple convenience that grew up in the 1830s. It may not have been the best-run operation in the world, but you have individual members cynically playing it up into a huge scandal for partisan political advantage, and you have the press going along as willing dupes, and you have the leadership caving in to populist outrage."

Dennis Thompson, a professor of government and director of a university-wide ethics program at Harvard worries that too much attention is paid to personal corruption "and not enough to process corruption, which has a much more profound effect on all of our lives." He cited the failure of investigators and journalists to uncover the savings and loan crisis or the BCCI scandal until billions of



RANDALL ENOS FOR THE WASHINGTON POST

auditors, and congressional subcommittees (12 in the House, three in the Senate, devoted solely to investigation and oversight).

Of course, many see increased attention to public corruption as an unalloyed good—if a mayor abuses drugs while leading a war on drugs, they're grateful for aggressive prosecutors who'll set up a sting. Others worry that the new safeguards haven't been vigilant enough. Congressional oversight, for example, was criticized in 1987 by the National Academy of Public Administration for being "more geared to garnering media attention" than to making government work better.

But even among those who support the heightened prosecutorial zeal, there appears to be widespread agreement that a willy-nilly hostility to government has poisoned the well since Watergate.

"Any culture that keeps trashing its own institutions courts a world best explained by Hobbes," said Nelson Polsby, director of the Institute of Government at the University of California at Berkeley. "To me, the House bank-

dollars had been lost.

"But look," Thompson added, "I'm a professor of government and I find these matters somewhat difficult and boring to look into, so I can understand why reporters and members of the public have trouble paying sustained attention."

Journalists are less inclined to let their craft off the hook these days. Watergate was perhaps the single most heroic moment in the history of the American press; it's been a bumpy downhill ride ever since. "You can't look at what the press has done with the new opportunities and power and be overjoyed," said Bob Woodward, The Washington Post's assistant managing editor for investigations, who was one-half of the now-famous reporting team that broke many of the early Watergate stories. "It has led to a lot of impatient reporting. It contributed to the mythologizing of being ahead of the story—that's your report card as a news organization. Too often these days, it leads us to

write from ignorance."

Woodward's old sidekick, Carl Bernstein, is even more troubled. In an article in the *New Republic* last month, he complained that the rise of tabloid television and a "talk show nation" had produced a "new culture of journalistic titillation [in which] we teach our readers and viewers that the trivial is significant, that the lurid and loopy are more important than real news."

Bill Kovach, a former Washington bureau chief of the *New York Times* who now directs the Neiman Foundation, a mid-career program at Harvard for working journalists, is concerned that "after Watergate, the owners and managers of the American press became nervous about the extent to which power had gravitated to them." They subconsciously adopted a don't-rock-the-boat approach, he said, cutting back on their commitment to serious investigative journalism while trying to build audience share and readership with shallow, expose-type reporting.

The press and the prosecutors haven't been alone in fueling this cycle of scandal and disillusionment. The politicians are part of it, too.

Question: What do the House banking scandal, the resignation of Speaker James Wright, the lurid confirmation fights over John Tower and Clarence Thomas, and the scorched-earth political campaigns of the past two decades have in common? Answer: None of these assaults on civic comity were driven by journalists or prosecutors. They were mainly the work of politicians themselves, devouring their institutions from the inside out.

In an age of deadlocked policy debates, exhausted polit-

ical parties and empty piggy banks, scandals have become "politics by other means," write political scientists Benjamin Ginsburg and Martin Shefter.

"Our elected officials are doing as much damage to themselves as all the journalists combined," said Fred Wertheimer, president of Common Cause, the self-styled citizens lobby. "Every two years they go out and engage in these campaigns in which they say the most terrible things imaginable about their opponents and about the institutions in which they serve. They think the voters are only getting the message about their opponents—but they are getting it about them, too, and about government . . . and then they come back to Washington and wonder why the public gives them so little respect."

If the post-Watergate culture of scandal has been corrosive, has it also been redemptive? The easy answer is yes, a point best made by the most explosive scandal since Watergate.

To many, Iran-contra was a disappointment. Unlike Watergate, it lacked dramatic clarity and a clean denouement.

The public's knowledge of what happened never broadened much beyond what the perpetrators themselves disclosed in November of 1986—that high officials in the Reagan administration had traded arms to Iran for hostages, in direct contradiction of their stated policy, then illegally diverted the proceeds to support the contras, who were fighting the communist Sandinista regime in Nicaragua.

But one reason there was not much dramatic buildup to Iran-contra had to do with a post-Watergate reform. In 1974, Congress passed a measure, known as the Hughes-Ryan Amendment, that required that a president personally "find" necessary any intelligence community covert operation, and

inform relevant congressional committees.

President Reagan had signed a "finding" on Dec. 5, 1985, approving a CIA plan to ship arms to Iran in exchange for hostages. Partly because of its existence, and haunted by the memory of Watergate, the Reagan administration moved successfully to avoid the appearance of a coverup. Early on, it disclosed the funding diversion, and announced the resignation of national security adviser John Poindexter and the firing of his aide, Lt. Col. Oliver North. It also called for the

appointment of an independent counsel and the creation of a blue-ribbon commission to look into what had happened.

The probes that followed, including one initiated by Congress, have been the subject of endless second-guessing. Did Congress make ill-considered grants of immunity to witnesses that thwarted the criminal probe? Did it mistakenly set time limits on its inquiry? Did it rely too heavily on the Watergate precedent and search for a "smoking gun" rather than for a presidential explanation of how his administration could conduct a private foreign policy?

In a just-released book, "Watergate in American Memory," sociologist Michael Schudson argues that whatever the disappointments with the Iran-contra probe, the affair served to vindicate the post-Watergate morality and reforms.

"Nothing keeps the memory of Watergate more alive," he wrote, "than the continued vulnerability of the Constitution to the executive capacity and willingness to work outside the written law and consensual understanding of it."

This goes to the heart of the matter. By law, the American presidency is a weak office; by custom it has grown into a powerful one, enlarged by such 20th century cataclysms as the Great Depression, two World Wars and a half-century of Cold War. The framers of the Constitution foresaw this. They worried that despite their carefully calibrated checks on presidential power, war, or the threat of war, would tend to invest enormous power in one office.

No other democracy has the notions of "checks and balances" and "separation of power" so ingrained in its civic culture. As Schudson points out, this is why foreigners had so much trouble fathoming Watergate. It is not that Americans are hopelessly moralistic, or that Europeans have a more sophisticated attitude about human frailty in high places. It is that the populist, antipower instincts of the American people go to the deepest part of the national character.

Political theorist Judith Shklar has written that representative democracy "depends on a fine balance between trust and distrust, with the fear of betrayal lurking in just those places where trust is most hoped for."

Trust seems no match for distrust these days, but this is not a novel condition, nor is it the product of Watergate alone. Consider this critique of modern journalism from magazine editor and conservative social thinker Irving Kristol: "The old populist journalism was always ready, when things went wrong, to shout: 'Shoot the piano player.' The new demagogic journalism is constantly and no less shrilly suggesting: 'Shoot the piano.' I fear this sort of thing can be contagious. Before we know it, somebody will be shooting up the whole saloon, and, in the process, destroying some irreplaceable spirits."

Kristol's critique could easily be broadened to substitute "political culture" for "journalism." But the kicker is this: He wrote it in March of 1972, three months before the Watergate break-in.

Twenty years later, the saloon resembles a killing field.

Voter turnout is at near-record lows; so are approval ratings for Congress and the president. Policy is in gridlock. Cynicism reigns. Just outside the saloon's tattered swinging doors loom term limits and Ross Perot.

Yet does anyone really believe that the basic constitutional idea of checks and balances has served the nation badly? Or that the political system lacks the capacity to regenerate itself?

"Are we better off because of Watergate?" said Woodward. "The answer is yes. It showed that the laws apply, even to the president, and that the Constitution works. In the 22nd-century history books, if Watergate is mentioned it will be that the country demanded the president obey the law, and that he represent the best instincts of human nature, rather than the worst.

"But in the short run," he added, "yuk."