

Ken Hughes *Post*

# The Tapes That Destroyed Nixon

In a recent news story on Richard Nixon's decision to destroy his White House tape recordings, *Post* reporters George Lardner Jr. and Walter Pincus write: "Until now it has been widely believed that Nixon did not consider destroying his tapes until after White House aide Alexander Butterfield publicly revealed their existence to the Senate Watergate Committee on July 16, 1973" ["Nixon's Fateful Reversal," front page, Oct. 30].

This belief was held only by people who didn't read Nixon's memoirs, which state that on April 10, 1973, Nixon decided to destroy all of the tapes except those dealing with national security matters. The *Post*'s story proves only that he made the decision one day earlier than he admitted.

Lardner and Pincus claim that when Nixon raised the subject of the tapes again on April 16 and 18, 1973, he "had changed his mind. He didn't want to get rid of the tapes just yet. . . ." In fact, on April 18, Nixon asked his closest aide to destroy most of the tapes. The job just didn't get done.

In my own reporting on the Nixon tapes for the *New York Times Magazine*, the *Hill* and the *American Journalism Review*, I have found no more intriguing tape than that April 18 one. It shows Nixon's devious mind performing at its serpentine best. It must be considered in context for Nixon's tactical acumen to be fully appreciated.

Watergate had just degenerated from a scandal to a disaster. On April 15, Nixon learned that John Dean, his White House counsel, had turned state's evidence. Hoping to gain immunity from prosecution for his own role in the coverup, Dean had revealed the parts played by Nixon's two closest aides: Chief of Staff H. R. Haldeman and chief domestic policy adviser John Ehrlichman.

Nixon decided that all three aides would have to step down. He asked Dean to sign a letter of resignation on April 16. Dean, fearing that he would be made the scapegoat for Watergate, refused to do so unless Haldeman and Ehrlich-

man also resigned. On April 17, Nixon offered Haldeman and Ehrlichman—the second and third most powerful men in the White House—part-time jobs with the foundation building the Nixon Library.

Nixon's predicament was excruciating. Haldeman, Ehrlichman and Dean were all eyewitnesses to the president's crimes. Worse, Haldeman knew about the tapes. Nixon was afraid that Dean might, too. If Nixon burned the tapes at this point and that fact leaked out of the sieve-like White House, he would have looked like a guilty man destroying the evidence of his crimes.

It would have been far better for Nixon if one of the men he was firing took the tapes with him and destroyed them: a man who already knew the tapes existed, so Nixon wouldn't have to take the risk of letting someone else in on the secret; a man who had a strong incentive to destroy the tapes, because they revealed his own guilt.

Once the tapes were gone, Nixon could claim that they would have proved the president was innocent. No one and nothing could prove he was lying. And the man who destroyed the tapes could not later claim that Nixon had ordered him to commit his crimes—if that was the case, investigators would ask, why did he destroy the evidence that would confirm Nixon's responsibility?

On April 18, Nixon told Haldeman that there was something he wanted done if (meaning: when) the chief of staff had to resign:

*Nixon: I'd like for you to take all these tapes, if you wouldn't mind. In other words, uh . . .*

*Haldeman: Yeah.*

*Nixon: Uh, I'd like to—some material in there is probably worth keeping.*

*Haldeman: Yeah.*

*Nixon: Most of it is worth destroying. Would you like—would you do that?*

*Haldeman: Sure.*

*Nixon: You know, as a service to the library.*

*Haldeman: Sure.*

Lardner and Pincus appear to have confused two separate decisions that Nixon made that day: (1) To retain the taping equipment to record future presidential conversations (in which Nixon could express his innocence of wrongdoing), and (2) to get rid of tapes of past conversations that proved the president's guilt. After reviewing transcripts that I made of the April 18 conversation, one of Nixon's principal defenders (former White House counsel Leonard Garment) and one of his principal investigators (former Watergate Committee chief counsel Samuel Dash) both agreed that Nixon was asking Haldeman to get rid of the damning tapes.

It was a fine plan, but Haldeman never carried it out. Over the next seven days Haldeman refused to take the hints that he should resign and started making the bizarre argument that the tapes would actually exonerate

Nixon.

Nixon was having some trouble remembering all the incriminating things he had said to Dean. On April 25, Haldeman listened to the tape that worried the president the most—a conversation with Dean in which Nixon approved the payment of blackmail. At that point, Haldeman was the only person who had ever listened to any of the tapes.

Haldeman returned from his listening session with glad (and utterly false) tidings. In Haldeman's account, Nixon had told Dean that paying blackmail would be wrong. Since then, writers have searched for words to describe just how untrue Haldeman's account was: "stunningly wide of the mark" (Leonard Garment); "inexplicable" (Stephen Ambrose); "confused" (H. R. Haldeman). Haldeman was later convicted of perjury for repeating this falsehood in sworn testimony.

But Haldeman's lie worked on Nixon when it mattered the most. As Nixon wrote in his memoirs, after Butterfield revealed the existence of the tapes, "Haldeman said that the tapes were still our best defense, and he recommended that they not be destroyed." They weren't; Nixon was.

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