

After the Trial: Unanswered Questions

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Well, the Watergate trial is over. Two defendants have been convicted and five others have pleaded guilty. We take no joy in those facts. Seven men's lives are to be changed and so are those of their families. And yet, for all that, there is an unsatisfactory sense that all that was rotten in Denmark is still largely in place. For, what is at issue in the whole Watergate-campaign espionage episode is not merely whether some men were or were not guilty of breaking and entering some offices in the Watergate complex, but rather how badly the electoral process has been mangled and abused, and by whom. The conclusion of the trial leaves much of that right where it was before court was convened.

There is now no longer any question about the fact that the Watergate operation and others directed at Sens. Muskie and McGovern were financed by Republican campaign money. Nor, despite vehement denials by top Republican campaign figures, is there any longer any question that there was a secret fund—nor any question that very large sums of unsupervised cash were floating around in the President's campaign. The questions remaining have to do with precisely how widespread the espionage activities were, exactly who directed and authorized them and how strong an effort those in authority made to get to the bottom of the whole affair once aspects of it had come to light.

Confirmation of some of the press reports (greeted at the time of publication by artful denials on the part of campaign officials) concerning the extent of the espionage operation has come in a letter reporting the preliminary findings of the Senate Judiciary Committee's Subcommittee on Administrative Practice and Procedure. In that letter to Chairman Eastland, Sen. Kennedy reports that the committee's information "strongly indicates that a wide range of espionage and sabotage activities did occur during the recent presidential campaign." The Kennedy letter goes on to note close White House contacts of one of the "key participants" and also indicates that some of the financing was arranged "through a key Republican fund-raiser who is a close associate of President Nixon's." Finally the Kennedy report notes that neither the criminal investigation nor the administrative inquiry conducted in the White House "included any substantial investigation of the alleged sabotage and espionage operation" apart from those surrounding the Watergate incident.

But, even more than that still remains on the table. The trial brought out the fact that an amount close to a quarter of a million dollars was made available for the "intelligence operations." Even the operations scrutinized

at the trial were something other than purely defensive intelligence gathering. Tom Gregory testified about how he attempted to penetrate the highest levels of the Muskie and the McGovern campaigns. And at whose authority was all of this financed? Judge Sirica elicited the fact that John N. Mitchell and Maurice Stans verified the authority of the deputy campaign director to disburse huge amounts of unaccounted cash for the intelligence operation.

Yet the trial leaves the impression that no one in authority knew how that quarter of a million dollars was spent, and to this day, the bulk of that money is unaccounted for. It leaves one a bit breathless to contemplate the expenditure of that kind of money with no one in a responsible position knowing what it was going for in the campaign of a President who prides himself on being an efficient administrator. That puzzle too is still on the table.

Thus, Judge Sirica's question about the authorization for the expenditure of the money and the purposes to which it was to be put are basic. Two of Mr. Nixon's closest advisers, a former Attorney General and a former Secretary of Commerce authorized the payments. But how much did they know? What did they think the money was buying and how did they think the information some of it had purchased had been acquired? Who else knew about this and how high in Mr. Nixon's councils were they? And, for that matter, are some of them still there?

These are important questions not simply because curious circumstances elicit large amounts of curiosity, but because the higher the authority for all of this dirty business and the broader its scope, the more the electoral process was mangled. And the questions are important because the integrity of the government and its investigative and reporting operations are very much on the line here too. Finally, it is important because it is necessary before the next election for the Congress and for the people to draw some lines between what is legitimate campaign conduct and what is criminal behavior and to decide what to do about huge amounts of cash sloshing around in presidential election campaigns.

The trial is over. But heavy questions still remain and a great many thoughtful people are ashamed by what we have learned. But it is even worse than that when one contemplates Sen. Mansfield's basic truth, "The question is not political, it is constitutional." Therein lies the essence and the importance of the task that congressional investigators will probably have to complete if the public is ever to be told the truth about this demeaning and destructive business.