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WBSJ

## More on the Transcripts

I watched all of one and part of a second network analysis of President Nixon's Tuesday night speech. Then I watched most of the analysis on the Public Broadcasting System (WETA).

I did not hear one of those urbane gentlemen (no women, no blacks) express outrage at the preposterous arrogance of Richard Nixon in saying that, while he is under suspicion of committing high crimes and misdemeanors, he should have the privilege of determining or even of suggesting what evidence is relevant.

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Even with all the editing and excerpting that took place in preparing the tape transcripts submitted to the Judiciary Committee, they certainly make perfectly clear that the 1972 campaign to re-elect Nixon and Agnew was conducted by methods akin to gang warfare — with Nixon as Godfather.

These excerpts demonstrate conclusively the importance of the recent suggestion by Senator Javits that as soon as the House impeaches Nixon he should take a leave of absence, because he will be "unable to discharge the powers and duties of his office" within the broad meaning of those words as they appear in paragraphs 3 and 4 of the 25th Amendment to the Constitution.

If he fails to do so, then the Vice President and a majority of the Cabinet should follow the procedure set

forth in paragraph 4 to compel him to do so, to prevent his misusing presidential powers to pressure senators, by means unrelated to the merits of the impeachment, into voting for his acquittal, and to forestall the possibility of his attempting to defy a guilty verdict by some sort of coup.

A resolution to that effect by the Republican Party to get the divorce from Nixon, CRP and all their subversion of the electoral process that it needs to prevent its becoming a mere splinter party for some time to come, greatly damaging the two-party system under which each administration is kept on its toes by a "loyal opposition" capable of meaningfully contesting against the party in power in congressional and presidential elections.

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It seems to me President Nixon is hoist on his own petard. If he is so concerned about the confidentiality of presidential discussions and advice, how could he have violated individual confidences by tape recording all conversations in the first place? The discovery of the existence of the tape recordings has become a red herring in that all proof of "did he or didn't he" seems to hang on their revelations. A much more basic concern should be the reason for the taping in the first place—a clear violation of individual rights when the person recorded is not aware of the fact.

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