

Watergate: The Vesco Connection

"I am certain that the judicial proceedings in this case will fully vindicate me and confirm the absence of any wrongdoing." The statement was made yesterday by John Mitchell, the former Attorney General of the United States, against whom a multi-count indictment for conspiracy and obstruction of justice had just been returned by a federal grand jury—along with a separate 6-count indictment for perjury. We do not share Mr. Mitchell's certainty as to the outcome of the judicial proceedings. Nor do we share that of Maurice Stans, Mr. Nixon's former Secretary of Commerce and chief fund raiser, who was indicted on similar charges and who also expressed his confidence that he would be "vindicated." To say as much is not to presume the guilt of these two men in advance of their trial. It is simply to say that the grand jury that returned the indictments against Mr. Mitchell and Mr. Stans (and Robert Vesco and Harry Sears as well) expressed a few certainties of its own—so we shall see what we shall see.

Meanwhile, it seems to us, the indictments serve as a timely and useful reminder that when we talk about "Watergate" these days, we are not talking merely of an isolated burglary at Democratic headquarters last spring or even of a 10-month effort on the part of government officials to cover up their connection with that affair. The Vesco case involves—at one level, and as an incident—something quite separate. It involves the passing from Mr. Vesco of a huge and unreported sum of cash to the President's re-election committee and the concurrent arrangement of an appointment for Mr. Vesco's business representative with officials of the Securities and Exchange Commission (SEC), which was investigating Mr. Vesco's operations at the time. It also involves charges that both the cash transaction, which was undertaken with Mr. Stans, and the arrangements with the SEC (which were made by Mr. Mitchell) were covered up by both men after the fact—and after the heat was on. In this sense, the Vesco affair, is separate and distinct. But we would argue that it is also, in a different sense, a basic part of what people have come to think of as the Watergate affair. It is part of that endemic sleaziness and gross insensitivity to what is important and what is right that seem to be the common denominator of the very uncommon activities that have come to light in the past few weeks and months.

Vice President Agnew and Senator Proxmire (among others) have bidden us all to mind our civil liberties, to do unto others, to presume no guilt and the rest. That is good advice for a variety of reasons—one being that it is always good advice. But there are other more particular reasons, among them the fact that dwelling

speculatively on things we do not know distracts attention from the hard facts that are already before us. For example, a lot of people seem to be wandering through this maze of ever more complicated and squalid disclosures asking over and over again whether the President "knew" of the Watergate burglary in advance, a fixation that has become almost as irrelevant as it is distracting. Let us merely enumerate a handful of the things we all in fact do know:

- That an Acting Director of the Federal Bureau of Investigation burned evidence bearing on the prosecution of the Watergate crime itself.
- That the President's personal attorney claims to have been instructed by the President's appointments secretary to pay \$30,000 to the accused political saboteur, Donald Segretti, who has since been indicted in Florida.
- That the President's official spokesman and the President himself for a 10-month period of time issued public statements from the White House concerning the Watergate burglary that were false.
- That a convicted conspirator has testified that White House influence and office space were made available to him for the purpose of *forging* official documents meant to demonstrate that President Kennedy had engineered the murder of President Ngo Dinh Diem of South Vietnam.
- That the President's principal domestic adviser was apprised of a burglary of the office of a doctor in Los Angeles undertaken as a White House mission, and that he dealt with this news by telling the burglars "not to do this again."

These are but a few of the hard facts to which a disturbed and disbelieving public has already been treated. They are not hearsay or innuendo or mere opinion. And they put the question about presidential foreknowledge or lack thereof concerning the Watergate burglary into perspective. The point is that President Nixon has put into office and into power men who over a prolonged period of time have systematically abused the public trust. Did he know what they were up to? We do not know the answer to that—or at least we do not know the answer in the sense that people expect to hear it, i.e. yes or no. But we do know another answer and it is: if he didn't, he should have. Yesterday's sordid news from the grand jury can only be read in that context. For there is now something else we all know: a former chief law officer of the land has been indicted for perjury, conspiracy and—yes—obstruction of justice.