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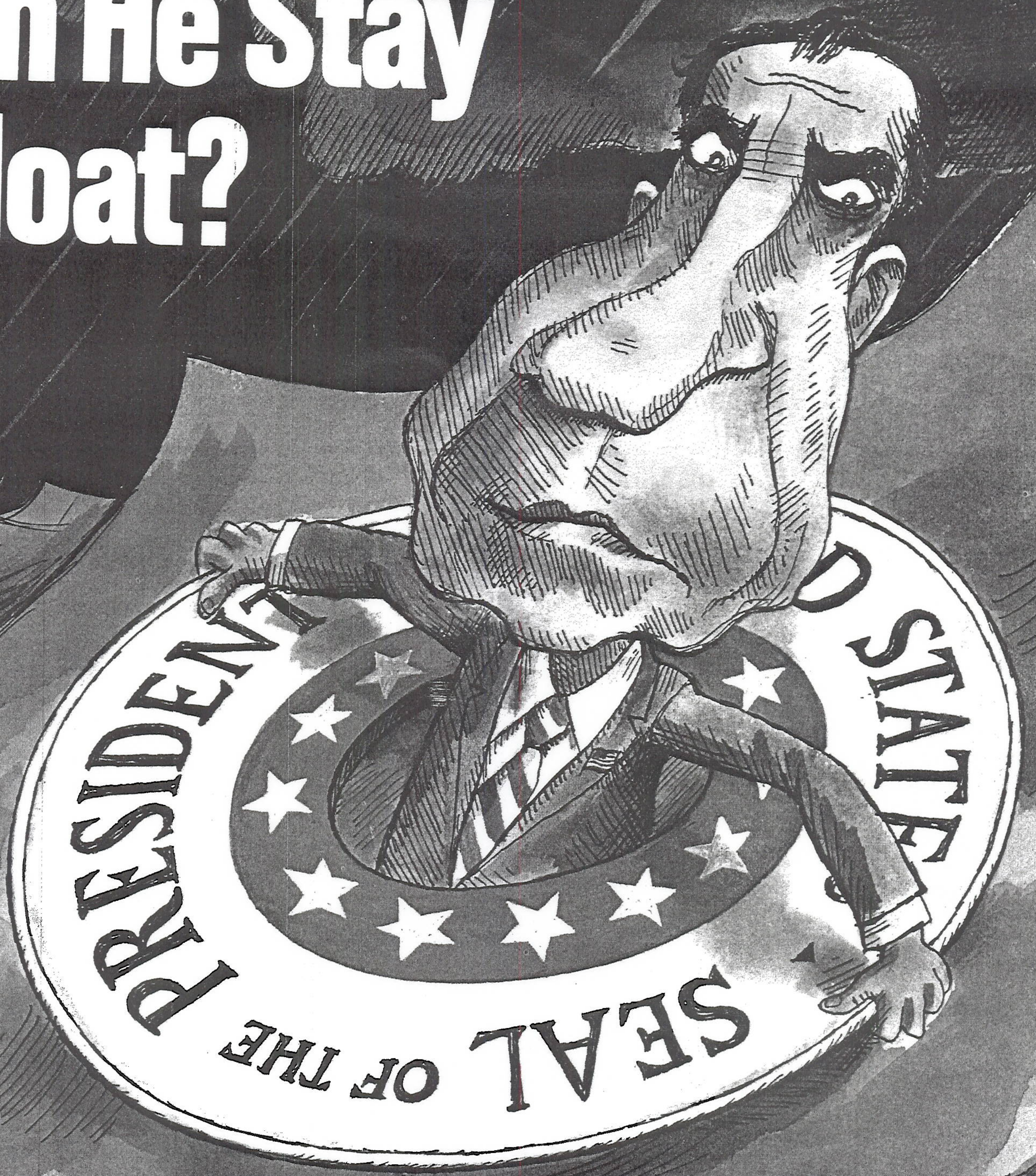
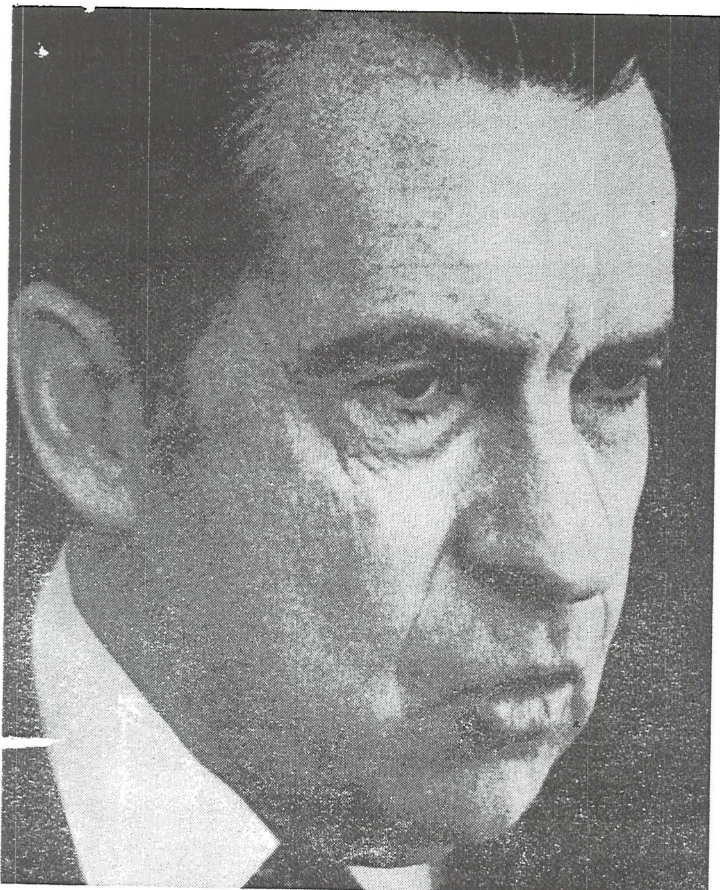
Can He Stay Afloat?




After the speech: A struggle only just joined

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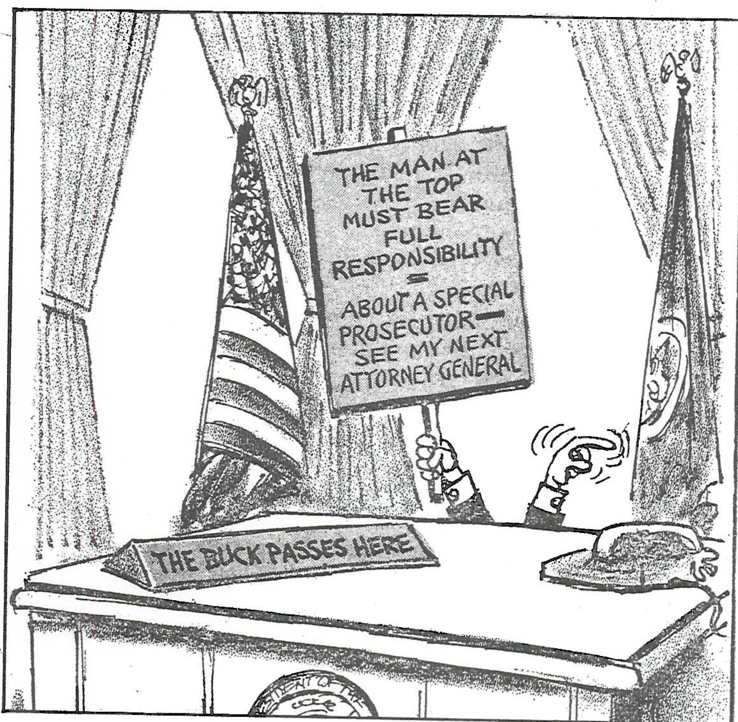
Newsweek



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Can Mr. Nixon Stay Afloat?

A wounded Richard Nixon tried last week to struggle out of the morass of Watergate—and found himself as deeply mired as ever. His situation was so grave and his mood so somber that he is said at one point to have wondered aloud, fleetingly and abstractly, whether he ought to consider resigning. He elected to fight instead. He went on national television, tense and haggard, to plead his own innocence of the corruption around him and to announce a shattering topside purge of some of the men he had trusted most. But he yielded too little and protested too much to satisfy any but the most dedicated Nixonians; fully half the respondents in a post-speech Gallup poll remained convinced that he had in fact helped cover up the mess. The struggle was accordingly only just joined. The stake was by Mr. Nixon's own word the integrity of the White House—and, by implication, the survival of his Presidency.

One measure of the President's trouble was that he had to sacrifice some of his closest associates merely to buy some time for himself. With manifest pain, he collected the resignations of his two top staffers, H.R. Haldeman and John Ehrlichman, both of whom had come under suspicion in the scandal. He fired his staff counsel, John W. Dean III, who had been implicated and was threatening to drag down his superiors with him. He replaced Attorney General Richard Kleindienst with Secretary of Defense Elliot Richardson, and empowered Richardson to put an outside special prosecutor in charge of the inquiry—an option the new A.G. was expected shortly to exercise. He let at least two lesser officials go during the week, sacked his private lawyer, Herbert Kalmbach, and announced that—after ten months of denial and evasion—he was prepared to let the truth come out. "There can be," he said in his TV speech, "no whitewash at the White House."

A Bomb Called Dean

But the rush of damaging revelations ran on beyond his control—and edged ever closer to involving the President himself. The ticking time bomb in the case was John Dean, whom Mr. Nixon had cashiered on network TV—and who, NEWSWEEK learned, was now telling investigators that he can associate Mr. Nixon directly with the Watergate cover-up (page 32). Dean was reported to be prepared to testify that he was summoned to the Oval Office after the original Watergate burglary-and-bugging indictments were handed up last fall, to be congratulated by the President himself ("Good job, John!") on the fact that no higher-ups had been named. Dean was said to be further prepared to charge that, in December, Ehrlichman had come out of a conference with Mr. Nixon with a promise of executive clemency for one of the Watergate ringleaders, E. Howard Hunt, before the case even came to trial.

One of Dean's tales rested on a chance remark, the other on speculation—and both were thus susceptible to explanations less damaging than he seemed ready to give them. Neither was it certain that he could back them up. But he set off a shudder of anxiety at the top with the disclosure that he had taken some secret documents out of the White House before his dismissal and had stashed them in a safe-deposit box. And even if they prove useless, the mere suspicion of involvement was damaging for a President who has now staked his reputation—and perhaps his future—on the defense that his people kept him totally in the dark for more than nine months.

The implications for the Nixon Presidency, should that defense now crumble, were chilling indeed. The pinnings of confidence on which his government rests were shaky already, on the evidence of Gallup's telephone sampling of 456 households. Four out of seven respondents who had any opinion at all about Mr. Nixon's speech simply didn't believe it was the whole truth; 40 per

Roland Freeman—Magnum

Richardson: New broom at the top

cent of the sample guessed that he had in fact been aware of the bugging in advance, and 50 per cent suspected him of complicity in the cover-up. So advanced were their doubts and so corroded their view of the Administration that fully 30 per cent believed Mr. Nixon should be impeached if he were directly implicated in the scandal.

That thought had been unthinkable until the case reached crisis pitch in mid-April, and the subject of impeachment remained largely a matter of idle cloakroom muttering on Capitol Hill. But last week, Rep. John Moss of California suggested a preliminary House inquiry into whether grounds for impeachment might in fact exist—a move set down by leaders of both parties not as unimaginable but as "premature."

The Hit List

Mr. Nixon tried in his speech to retrieve his reputation by placing himself above what his people had done in his name. But the disclosures at very least called to question the sort of men he had chosen to surround himself. The grand jury was said to be targeting in on perhaps a score of them in the systematic cover-up, with Haldeman, Ehrlichman, Dean and former Attorney General John Mitchell high on the hit list.

The Pentagon papers trial in Los Angeles (page 32) became a daily theater of humiliation for the White House and chill revelation for the nation—a clinical study in top-level tampering with the processes of justice. The 1971 break-in at the office of defendant Daniel Ellsberg's psychiatrist was tracked to an operation set in motion by Ehrlichman at Mr. Nixon's request; Ehrlichman, when he learned of the burglary, merely warned the underlings who staged it "not to do this again." And W. Matthew Byrne Jr., the Federal judge trying the case, called his own integrity into question by disclosing that Ehrlichman twice had dangled the nomination for FBI director before him and once introduced him to Mr. Nixon himself—while the trial was still in progress.

The Dirty Tricksters

The Ellsberg disclosures were only frightening confirmation of what investigators had recently begun to face: that the President's senior men kept their own private *tonton macoutes* to run espionage, sabotage and security operations outside regular police channels—and frequently outside the law. NEWSWEEK learned that Haldeman had in fact asked the CIA in 1971 if it would take on certain internal-security assignments. The agency said no; the White House thereupon organized its own clandestine-operations unit under Hunt and Gordon Liddy—who then got at least some technical aid from the CIA. Their known White House assignments included not only profiling Ellsberg's psyche but assembling a dossier on Sen. Edward Kennedy. Later, they switched headquarters to the Committee for the Re-election of the President and became part of the larger effort to sabotage the most effective Democratic candidates—a scheme designed, investigators now believe, to assure the nomination for George McGovern and thereby the Presidency for Richard Nixon. The Federal inquiry into this effort has been slow in starting, but last week a grand jury in Orlando, Fla., indicted star agent-provocateur Donald Segretti for dirty tricks in the state's Democratic primary.

The flood of bad news further weakened the government at precisely the moment Mr. Nixon was trying to put it back together again. His purge gutted the White House of its senior command structure, left the Pentagon and the Justice Department momentarily leaderless and distracted even the most distant Administration officials from the ongoing problems of governance.

The President plugged the hole at Justice with Richardson, a Boston Brahmin of eminently clean reputation; he replaced Dean with his liberal minority-affairs expert, Leonard Garment; he made Ehrlichman's departure the occasion to enlarge Spiro Agnew's duties in domestic affairs, and he drafted Henry Kissinger's old deputy, Gen. Alexander Haig Jr., on less than a day's notice to fill in for Haldeman as gatekeeper-in-chief (box, page 31). But the Pentagon went temporarily begging—former Deputy Secretary David Packard was reluctant to come back—and other jobs were increasingly hard to fill. "I declined very reluctantly," said one candidate for a plum appointment, "but I can't conceive of working in an Administration where the President is as crippled as this one is."

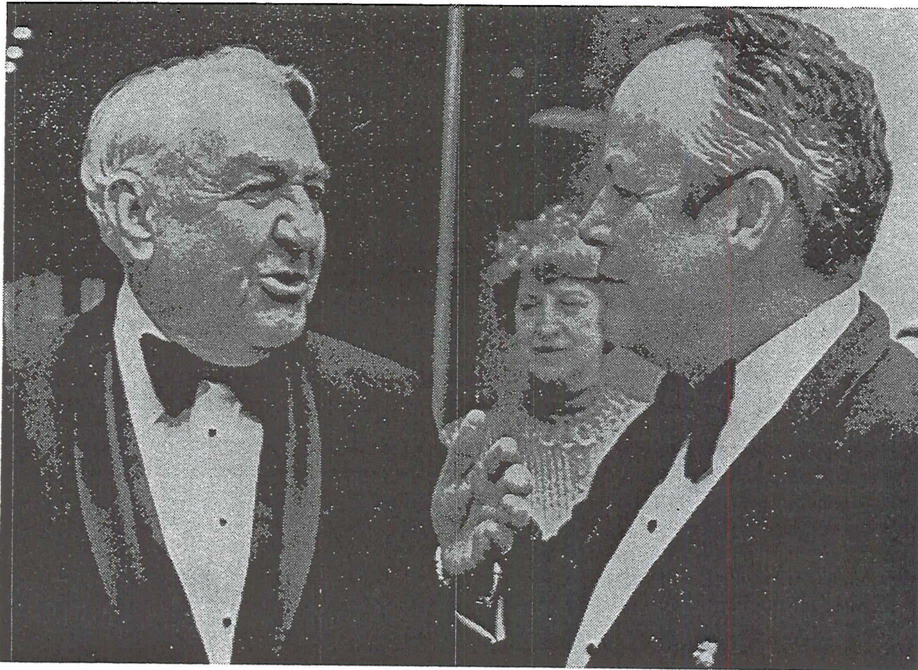
The purge had been a painful business; Mr. Nixon settled on it over a brooding weekend at Camp David when the runaway momentum of events left him no other choice. His proximate problem then, behind the visible daily headlines, was John Dean, who felt he had been picked out by his betters as the fall guy and had turned volatile as a result. Dean had declined a direct demand from the President for his resignation some five weeks earlier; he had hinted both to the prosecution and to the press that he could bring down Haldeman and Ehrlichman with him, and he had begun bargaining for immunity with the implied threat that he might run the chain of complicity to the President himself. The icier the White House got, the more Dean began, in the exchange of private signals, to sound like Samson in Richard Nixon's temple. "It's going to move like lightning," said one source in the midst of the war of nerves with Richard Nixon's besieged White House.

The Camp David Purge

The President in the end did not even summon Dean one last time to court; instead, he resurrected the pro-forma resignation his counsel had written last November, along with everyone else on the staff, and made it the instrument of Dean's dismissal. Mr. Nixon had hoped till then to save Haldeman and Ehrlichman—"the three of them were holding

ABC Evening News

Dean: Bargaining for immunity



Ervin, at a dinner with Kleindienst: Reviving the Senate inquiry

AP

onto each other," said a colleague—but concluded at the last that they would have to go, too; they were delivered to the Catoctins by helicopter and persuaded of the necessity. Kleindienst had concluded two weeks earlier that he ought to quit, on the heels of an insomniac 1-to-5 a.m. briefing in which his prosecution team informed him that some of his best friends had been involved. When he first offered his resignation, Mr. Nixon said: "I'd rather not face that right now." But at Camp David he was ready, and so was Kleindienst.

It was during this retreat, one caller told friends later, that Mr. Nixon himself briefly wondered aloud about resigning. The question was a measure more of his somber mood than of his real intent. He labored over his speech past dusk on the evening he was to deliver it, then flew back to Washington and arranged himself on camera, wan and shaken, before a photo of his family and a bust of Abraham Lincoln. He opened with what amounted to a confession: that he had been "appalled" by the Watergate break-in last June, but had for the nine months that followed "believed the reports I was getting" that none of his men were involved.

'Two of the Finest'

Only in March, the President said, did he come to realize that "there had been an effort to conceal the facts both from the public—from you—and from me." He was now forced to move for the good of the Presidency, even at the cost of losing Haldeman and Ehrlichman ("two of the finest public servants it has been my privilege to know") and Kleindienst as well ("my personal friend for twenty years"). These effusive regrets were in sharp contrast to Mr. Nixon's curt farewell to his counsel—"John Dean has also resigned"—and his conspicuous failure to mention Mitchell at all.

He accepted "responsibility" for the whole affair, but not the blame: he had, he said, delegated management of his campaign to others for the first time in his 27 years in politics, and was traduced as a result by "people whose zeal exceeded their judgment." At moments Mr. Nixon seemed almost to excuse them, on the grounds that "both of our great parties" had done shady things and that this particular set "may have been a response by one side to the excesses or expected excesses of the other side." But in the main he sought to excuse himself, both from any witting complicity in what had happened and from any further diversion of his time and attention to the scandals. He bequeathed the inquiry to Richardson; he would himself return to the 1,361 days left him, and to the "larger duties" of the Presidency.

The President fumbled words at the beginning of the 24-minute talk, and at the end blinked back tears and muttered, "It wasn't easy." Minutes later he materialized in the White House press room, standing half veiled in the shadows; the dozen or so reporters in the room weren't even aware he was there till his voice brought them to attention: ". . . We have had our differences in the past, and I hope you give me hell every time you think I'm wrong."

That gesture, and a wry thank-you in the speech to a "vigorous free press," seemed to signal a wave of conciliatory overtures. Press secretary Ron Ziegler apologized to The Washington Post for having insulted its Watergate coverage (page 75), and even Spiro Agnew allowed that he might have been a little "abrasive" about the news media at times. The President himself seemed in much improved spirits thereafter; he met and kidded with Congressional leaders, welcomed West Germany's obviously embarrassed Chancellor Willy Brandt for a round of talks and otherwise went obtrusively on about the larger duties he had spoken of.

'Son of Checkers'

But the speech seemed far from an adequate answer to the crisis. Its tone was threaded through with self-pity—"Son of Checkers," scoffed one Republican professional—and its content was less remarkable for what it said than for what it left unsaid. The President named no names and ventured no new facts. He rested his personal defense on the insubstantial premise that a master politician, case-hardened over a quarter century of combat, had disbelieved everything he read in the papers and credited everything his associates told him for nine months. He gave no details of the evidence that, in his telling, made him suddenly see the light. He was conspicuously kind to Haldeman and Ehrlichman, though both were under investigation. "He wasn't talking to the country," said one Republican. "He was talking to Haldeman and Ehrlichman and their wives."

Haldeman and Ehrlichman reciprocated the kindness; both left quietly, each leaving behind a statement protesting his innocence and signaling his continued loyalty to the President. Others shortly followed. Gordon Strachan, once one of Segretti's contacts in the White House, resigned his latest job as general counsel to the U.S. Information Agency. Likewise outward bound were National Security Council staffer David Young, who quit, and Under Secretary

of Transportation Egil (Bud) Krogh, who went on "administrative leave."

Their departures brought the Watergate casualty count to at least a dozen, dating to Mitchell's abrupt resignation for "personal reasons" two weeks after the break-in—and the President's vulnerability to hurt feelings and pointed fingers increased in direct proportion to their numbers. The White House was clearly aware of the danger: it issued a new set of guidelines considerably broadening the grounds on which its people might invoke executive privilege to refuse to answer questions touching the President.

'No Immunity, No Mercy'

Dean remained the most visible danger of all, and the White House plainly took the threat seriously. The prosecution team thought it might need his testimony, particularly against Haldeman and Ehrlichman, but the President's no-immunity rule for his people seemed to apply with special force to Dean. "They've been told not to give the son of a bitch anything," one source told NEWSWEEK. "No immunity, no mercy." The White House reacted swiftly to Dean's disclosure about the papers in his safe-deposit box—a cache including one mysterious 43-page document and eight other items bound in a blue plastic folder. Dean said he had taken them to prevent their "illegal destruction" and asked Judge John J. Sirica to take the keys to the treasure; the White House, perhaps anticipating him, included among its new guidelines a pointed rule restricting disclosure of White House papers.

The skirmishing only intensified doubts about whether Nixonians mean seriously to investigate Nixonians—and so stepped up pressure to turn the whole tangled case over to a special prosecutor with no ties to anybody involved. The President himself finessed the idea, bucking it to Richardson, and was furious when one noonday Sen. Charles Percy of Illinois pushed through a resolution supporting it with only four other senators present. But the resolution in fact did represent the prevailing sentiment on the Hill—a suspicion that amounted to a vote of no confidence in the current investigation—and Richardson was said to be ready to bend to the steadily rising pressure.

The widening credibility gap likewise recharged Sen. Sam Ervin's select committee of inquiry, which planned to begin hearings next week not only on the bugging but on the whole web of political sabotage and secret campaign funding. The court could not range so far, and Mr. Nixon's speech ignored the collateral issues—the campaign disruptions, the $100 bills in attaché cases, the documents that disappeared in CRP's paper shredder and L. Patrick Gray's burn bag. The committee acknowledged no such limitations. "We have opened a window on politics at its worst in our history," one Democratic member said. "The people have a right to see what's what."

That they will ultimately see what's what could no longer be doubted. "Nobody's controlling this situation," said one Justice Department official; the hearings, the grand-jury inquiries, the trials and the banner-line newspaper stories promise now to run on for months and possibly years to come, and every day of the process will be a day of danger for Mr. Nixon and his Presidency. He remains sheltered by the mystique of the office—a reverence so profound that sometime Secretary of Defense Melvin Laird, a tough old political warrior, announced that he wouldn't want to hear about it if the President were implicated in the scandal. But the mystique has diminished along with the Presidency in the weeks of the Watergate crisis. Mr. Nixon may yet restore the office and redeem his own reputation. But his speech, however pleading, and his actions, however wrenching, were at best no more than a start; it was a measure of his sudden vulnerability that he could cut away the very heart of his government as a sacrificial offering and still leave the question of his own survival in doubt.

Wally McNamee—Newsweek

Haldeman and Ehrlichman: A purge of the President's most trusted hands