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Letters to the Editor

Mr. Nixon and the Tapes: A Theory

To the Editor:

An interesting pattern is emerging from the Senate Watergate hearings. My very strong impression is that the tapes being sought by the committee, if released, would fail to incriminate either the President or his close associates in wrongdoing in the Watergate mess.

The President knew that the tape machine was recording, so he would always be careful of what was said into the hidden microphones. Therefore, revealing the contents of the tapes presents no danger to him personally.

An alternative hypothesis for his insistence on withholding them fits the facts better.

All these bright young and not-so young men have gotten themselves into deep trouble by their mindless devotion to the President. I'm sure the President, being a thoroughly decent man, is pained by this, and he thinks that they deserve something better than long, costly trials, ruined careers, disgrace, harm to their families.

The men may have been foolish, indiscreet, overzealous or may have exhibited defective judgment, but they did it all out of deep loyalty to their leader. This certainly is the picture that emerges with almost every witness swearing his continued loyalty to and affection for the President.

The President would surely love to help them out of their trouble, if he could. But what can he do? Executive clemency is out of the question in the foreseeable future. Money payments for the families, rehabilitation, good jobs later can't be offered. That has already backfired. So what is left?

What is left is *de facto* clemency. By withholding the tapes and continuing to insist that there is nothing incriminating in them, the President gives the defendants an unbeatable line of defense.

Each can hold that the contents of the tapes, if disclosed, would completely exonerate him. By not having the material available for his defense, he is being deprived of the right to a fair trial.

And so the President stands up for his "boys" in their hour of need. A President must present this kind of image if he is to keep the respect of his subordinates. If they think that he will throw them over at the first sign of trouble, their loyalty to him will at best be lukewarm.

However, even if the President loses the battle and must surrender the tapes (and other executive papers), he still wins. He can then say, and be convincing, "Well, fellows, I tried my best not to let you down, but I was forced to give in by the Supreme Court."

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West New York, N.J., July 26, 1973