

Whose Impropriety?

The criticism leveled by the White House against special prosecutor Leon Jaworski for allegedly leaking to the press information unfavorable to the President's cause conjures up visions of the fate that befell Archibald Cox. Viewed against the background of Mr. Cox's dismissal, the complaint by deputy Presidential press secretary Gerald L. Warren contains unmistakable suggestions of intimidation.

What, in fact, was the nature of the alleged leak? It was that White House lawyers had approached Mr. Jaworski last Wednesday with the news of the obliterated eighteen minutes of taped conversation between Mr. Nixon and H. R. Haldeman and had asked the special prosecutor to agree to a delay of several days before informing the public of this latest disappearance of subpoenaed evidence. The "leak" also included the fact that Mr. Jaworski had quite properly rejected the request.

In allowing this sequence of events to become known, Mr. Jaworski's office, far from being guilty of an impropriety, merely showed that the special prosecutor refused to be party to any cover-up, however temporary and for whatever purpose. Mr. Warren's criticism therefore seems just one more resort to the by now familiar maneuver of diverting attention from a White House impropriety by creating the impression that the offense was not in the deed itself but in the telling of it.

Consider the substance of the information on which the lid was to be kept for a while longer. The Nixon-Haldeman conversation of June 20, 1972, took place three days after the Watergate break-in. The meeting lasted approximately 55 minutes. Because of an alleged error by Miss Rose Mary Woods, the President's secretary, eighteen minutes of the tape were erased.

According to the White House analysis submitted to Chief District Judge Sirica, none of the conversation that remains on the tape relates to Watergate. However, as acknowledged by the White House analysis, the notes taken by Mr. Haldeman in the course of the meeting "reflect that the President gave instructions to Mr. Haldeman to take certain actions of a public relations character which related to the Watergate incident." Thus, it appears that the only references to Watergate in the course of the 55-minute discussion also happened to be confined to the disappeared eighteen minutes.

This was the import of the information which the President's lawyers brought to Mr. Jaworski last Wednesday, with a request to delay any public statement about it. The American people are justified in asking why they should condemn the special prosecutor for letting it be known that the White House asked him to remain silent about this latest "bombshell."