

The Closing Circle

By Anthony Lewis

BOSTON, March 10—Imagine that we had as President a person of ordinary sensitivity to right and wrong. One day he is told by his Special Counsel some news of which he has had no inkling before: His own aides have for months been covering up a crime and paying hush money to the convicted criminals.

Would he sit there and calmly discuss what could practically be done to assure continued silence from the criminals? Would he "examine all the options at great length?" Would he then wait 40 days to obtain any assistant's resignation and make a public explanation?

Or would this mythical President react with shock and outrage? Would he pick up the telephone at once and call the Justice Department or the F.B.I.—those who he well knew had been investigating this very crime? Would he inform the judge who was about to sentence the convicted men?

It is considerations of that kind—of common sense and basic respect for law—that make so amazing President Nixon's explanation of his famous talk with John Dean on March 21, 1973. Listening to him at his press conference last week, one could hardly believe that a President of the United States was telling such a story: going on and on about "options" and further meetings when confronted with the face of crime.

The President's purpose in telling the story was plain enough; indeed, it may well have been the reason for having a press conference so soon after the previous one. It was to explain away as best he could the tape of the March 21 meeting, which his counsel, James St. Clair, had persuaded him he could no longer hope to withhold from the impeachment inquiry.

The explanation he gave was that on March 21 he needed a study made on how to "get the whole story out."

But the known facts about what happened after that meeting on the morning of March 21 indicate that the President's purpose was not disclosure but continued cover-up. These are some of the events that followed:

March 21. That evening Frederick LaRue of the Committee for the Re-Election of the President arranged to have \$75,000 delivered to E. Howard Hunt Jr., a Watergate defendant who had been demanding money and was about to be sentenced.

March 22. The President met with John Ehrlichman, H. R. Haldeman, Mr. Dean and John Mitchell. He talked about how to deal with the Senate Watergate committee, making no reference to Mr. Dean's disclosures of the day before. In the middle of the meeting Mr. Nixon telephoned Attorney General Richard Kleindienst, who at that point knew nothing about the cover-up, and talked to him about

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the Senate committee without saying a word about Mr. Dean's shocking revelations.

March 22. That night John Caulfield, a former White House aide, telephoned James McCord, one of the men convicted in the break-in, and said \$100,000 would be available for bail money if he needed it after sentencing the next day.

April 14. Mr. Dean and Jeb Magruder began talking to the Watergate prosecutors, implicating among others Messrs. Haldeman, Ehrlichman and Mitchell.

April 15. After a White House prayer breakfast, Mr. Kleindienst and the head of his criminal division, Henry Petersen, informed the President of the Dean and Magruder interviews.

April 17. Mr. Nixon announced, without being specific, that there had been "major developments" on Watergate. He said that no present or former official of importance "should be given immunity from prosecution"—a policy likely to discourage Mr. Dean from talking.

April 18. Mr. Petersen told Mr. Nixon that he had heard about the burglary of the office of Daniel Ellsberg's former psychiatrist. The President ordered him to "stay out of that" on "national security" grounds.

April 25. Mr. Petersen threatened to resign unless he could tell the judge in the Ellsberg trial about the burglary. Mr. Nixon gave way and said he could.

April 27. The F.B.I. interviewed Mr. Ehrlichman about the Ellsberg burglary, and the judge disclosed the story.

April 30. On television, Mr. Nixon announced the resignations of Messrs. Haldeman, Ehrlichman ("two of the finest public servants it has been my privilege to know") and Dean. He said that on March 21 he had "personally ordered those conducting the investigations to get all the facts." (But Justice and F.B.I. officials testified that they had received no such orders.)

Even those few highlights of the public record destroy any claim that Richard Nixon acted after March 21 as a man of ordinary honor and sensitivity would have had to act. The President has a good lawyer now, who will try to put the best face on it all. But the facts are in the way. So are the President's explanations. Last Aug. 15 he said that on March 21 he had been told nothing about giving money to the Watergate criminals "to procure silence." Last week he said John Dean had told him on March 21 of payments to the defendants "for the purpose of keeping them quiet." In conspiracy cases such inconsistent statements are often taken as evidence of guilt.