

The Middle of the Journey

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President Nixon and the nation are still in the middle of their journey toward truth and a final resolution of the Watergate scandals. In his address to the nation, the President tried to hack a shortcut through the tangle of fact and accusation, suspicion and denial that surrounds him on every side. In doing so, he disclosed much that had been concealed. But the shortcut proved to be a detour leading inescapably back to the main road and leaving the subject only slightly advanced from where it had been before he spoke.

The speech was a classic performance of its kind. The President made an elaborate show of candor while concealing what could be critical portions of the evidence. He took a grave request from a coordinate branch of Government—a subpoena for evidence by a committee of the House of Representatives considering impeachment—and converted it into an occasion for an appeal over the heads of Congress to the people. He attacked the press and television to foster the illusion that the bearers of the bad news are the progenitors of that news. He shrewdly narrowed a complex set of crimes and conspiracies into the single question of his complicity in the Watergate cover-up. He shrunk the circle of his accusers to a single figure, John W. Dean.

But a masterly exercise in propaganda cannot bring the Watergate troubles to an early end. Mr. Nixon has once more refused to acknowledge that his problems are in the solid domain of fact and law, not in the conjurer's sphere of public relations and image-building. What matters is not what the President says he knows in his own heart to be true but what the tapes, letters, and sworn testimony show to be true. What matters is not whether he trusts "the basic fairness of the American people," but whether he trusts the peoples' elected representatives who are discharging their responsibilities in the constitutionally prescribed manner.

The record of Mr. Nixon's performance in the Watergate controversy, including Monday's speech, indicates that he is not willing to trust the people's elected representatives or to abide by constitutional processes. The House Judiciary Committee subpoenaed specific tapes; Mr. Nixon provided edited transcripts. It would be hopelessly burdensome for the chairman and the ranking minority member to verify these transcripts against the original tapes unaided by any staff, as Mr. Nixon proposes.

If they were to accept such arrangement, and if they were to disagree with Mr. Nixon about the deletions he has made, he offers them no means of resolution except the privilege of arguing their request to him in

a personal audience. It is an offer of such breath-taking arrogance as to border upon open contempt for the Congress. Mr. Nixon has not yielded his claim of executive privilege, a privilege he has inflated beyond any recognizable past precedent and one that is inherently untenable once an impeachment inquiry has begun.

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Contrary to Mr. Nixon, the impeachment inquiry is studying several possible instances of gross abuse of Presidential power in addition to his involvement in the Watergate cover-up. The circumstances, for example, in which the messy I.T.T. antitrust case was settled in 1971 reeked of political influence. Since former Attorney General Kleindienst has now revealed that the President personally telephoned him to forbid an appeal of a lower court ruling favorable to I.T.T., Mr. Nixon can hardly claim lack of knowledge or interest in the settlement of this case.

The President was similarly involved in a markedly personal way in the milk price case and the Hughes-Rebozo transaction. Only he had the power to increase milk price supports. Only because C. G. Rebozo is the President's closest friend did Howard Hughes choose him to receive a mysterious donation of \$100,000. Most personal of all is the question of whether Mr. Nixon participated in a tax fraud in claiming a huge deduction for his Vice-Presidential papers.

Mr. Nixon mentioned none of these cases in his address. None of them depends in any way upon the testimony of Mr. Dean. Moreover, with regard to Mr. Dean it has to be borne in mind that part of his testimony on the Watergate cover-up has been corroborated by other witnesses, some of whom have already pleaded guilty. And what of the testimony of former Attorney General Mitchell that he went along with the Watergate cover-up in order to prevent the disclosure of even worse misconduct that he described as "the White House horrors"?

The special prosecutor has subpoenaed additional tapes from the White House, most of them having to do with these other aspects of the scandal, unrelated to the cover-up of the Watergate burglary. Mr. Nixon has given no hint of how he will respond to this subpoena, answerable tomorrow.

Yet it is in grand jury rooms, courts of law, and the Judiciary Committee's chamber where the long Watergate journey has to go forward. In trying to appeal his case to a nebulous court of public opinion where no oaths are sworn, no cross-examinations occur, and no rules apply, Mr. Nixon has made a temporary diversion, not a lasting advance toward truth.