



Watergate Just Won't Go Away

—Joseph Kraft

THE GUILTY VERDICT returned against John Ehrlichman in the case of the White House Plumbers demonstrates with special force why Watergate will not go away.

The Plumbers case not only shows how each development makes an indent for the next in a process which has now become ineluctable. It also identifies the illusion which has caused so many premature, and false, declarations, that the President has turned the corner.

As a result of the guilty verdict, Ehrlichman now faces a jail sentence for his part in the burglary of Daniel Ellsberg's psychiatrist. Ehrlichman is presently under two other indictments: in California, for perjury growing out of the burglary; and here in Washington for his part in the main Watergate case.

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IF EHRLICHMAN wants to ease his punishment, now is the time for Ehrlichman to start coming clean with the special prosecutor. Most of the defendants in the conspiracy case have acknowledged that they played a role in raising and passing money for Howard Hunt and others directly implicated in the Watergate burglary.

The theory of the prosecution has always been that the President and his aides felt obliged to contribute to the Watergate defense because Hunt and company were in a position to spill the beans about the operation against Ellsberg's psychiatrist. Now the criminal nature of that operation is not in doubt.

The prosecution, accordingly, is in good position to show that Ehrlichman

and other White House aides had a strong interest in covering up the Watergate burglary, because it led back to the Ellsberg burglary.

But you never would have known the prosecution was on the verge of such a breakthrough when the case went to the jury. At the time, only the chief prosecutor, William Merrill, was confident of a quick verdict against Ehrlichman.

Press reports claimed that the case had been blown. The theory was that Merrill had relied too heavily on David Young, a former member of the Plumbers who testified as a government witness.

Merrill, in internal staff discussions, pointed out that the case rested chiefly on copious documentary material tying Ehrlichman to the burglary. But other members of the prosecution, impressed by the newspaper accounts, pushed Merrill to divorce his case from Young. When he refused, most of the prosecution staff turned bearish on the case.

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IN RETROSPECT, the reason the prosecution staff went wrong is clear. The staff members tried to second-guess public opinion. The mistakes of judgment by the staff only recapitulate in miniature a mistake that is constantly being made about Watergate.

But public opinion has no influence on the outcome of Watergate. What is now involved is a series of specific acts being judged by well-defined legal procedures which have a momentum of their own.

The wheels are turning, and in one way or another, matters are going to carry through to an impeachment vote.