



From photographs by Charles Del Vecchio — The Washington Post

Watergate Down

HOW THE GOOD GUYS FINALLY WON: Notes from an Impeachment Summer. By Jimmy Breslin. Viking. 192 pp. \$6.95

WHY WATERGATE? Edited by Paul J. Halpern. Palisades. 233 pp. \$8.50; paperback \$4.75

U.S. v. RICHARD M. NIXON: The Final Crisis. By Frank Mankiewicz.

Quadrangle. 276 pp. \$8.95

WATCHMEN IN THE NIGHT: Presidential Accountability after Watergate. By Theodore C. Sorensen. MIT Press. 178 pp. \$8.95

THE GREAT COVER-UP. Nixon and the Scandal of Watergate. By Barry Sussman. Crowell. 323 pp. \$7.95; Signal paperback, \$1.95

By ANTHONY MARRO

ONE OF THE MINOR blessings of Watergate is that the White House tapes have pretty much demolished the myth—largely created by the man himself (*Six Crises*, and all that) and the courtiers around him—that Nixon was ultimately cool and decisive under fire. Not only don't we have him to kick around anymore, but—thanks to the tapes—we are likely to be spared further references to the man with the steel trap mind.

"Do you want to know what you've got on those tapes?" William Hundley, who was John Mitchell's attorney, said to a reporter one day during a break in the Watergate trial. "You've got a classic example of a bunch of guys trying to be their

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own lawyers and screwing up at it."

The tapes showed that Hundley was right, for they showed Nixon and his aides repeatedly making decisions without knowing what the law was, or what their own liabilities were, or what they were setting in motion when they resolved to throw various underlings to the wolves. And they show much more. The Nixon that Rowland Evans and Robert Novak had described in *Nixon in the White House* ("his steel trap mind could comprehend difficult concepts and memorize great quantities of facts") was not to be found on those tapes. Instead there was a confused, indecisive President who couldn't recall the name of his most recent Supreme Court nominee, who spoke of Alger Hiss (freed a generation ago after a short jail term for perjury) as still being in prison, and who—on one memorable occasion—was heard to go "quack, quack, quack, quack," like a duck.

"Not only do [the tapes] reveal a man

devoid of moral sense," wrote Manchester Guardian correspondent Peter Jenkins in a piece reprinted in *Why Watergate?*, "but also one severely lacking in common sense . . .

"We feel ourselves in the presence of a thoroughly second-rate mind, a crude and vulgar intelligence," he continued, "a man with no command of language, a man wholly concerned with appearance rather than substance—with 'how it will play,' with what he calls 'PR.'"

It is not surprising that the first rash of post-Watergate books includes several

that go rather heavy on this theme. Three of them—*U.S. v. Richard M. Nixon*, by Frank Mankiewicz; *How the Good Guys Finally Won*, by Jimmy Breslin; and *Watchmen in the Night*, by Theodore Sorensen—are authored by longtime foes of the ex-President, and their unstated but obvious point is not just that Watergate shows that he was weak, slow-witted, vindictive and mean—but that it shows him to be what the three of them always had claimed that he was.

What he was, they say, was "a weak and muddled cynic" (Sorensen), who "clearly betrayed" the nation's ideals (Mankiewicz), largely because—believing in nothing; not religion nor principle—he had "no way to externalize his evil" (Breslin). Moreover, all this was clear years ago; can't say they didn't try to warn us.

All three suggest that, near the end, the former President was unbalanced or something close to it; Sorensen notes that in his last week in office he "displayed behavior sufficiently erratic to cause the Secretary of Defense and others to stay close to their offices . . ." And all three suggest that the image of the cool, decisive leader was largely myth to begin with. "What emerged from the totality of the [tapes]," wrote Mankiewicz, "was a devious, profane, shallow man in the presidency, incapable of making the simplest decision and growing more and more conscious with each passing day of the necessity to conceal the evidence of his own misdeeds. Many people commented on the dreadful paucity of language; the Nixon men spoke in what must surely be the most circumscribed vocabulary of anyone holding the office . . ."

The essential difference between the first round of Watergate books (of which Barry Sussman's *Cover-up* is a fine example) and the first round of post-Watergate books is that the case against Nixon is now presumed to have been made; where Sussman was intent on showing that Nixon had done what his reporters at *The Washington Post* said he had done, Mankiewicz, Sorensen and Breslin want to make clear that there was no reason we should have expected anything else of the man.

"Virtually all of the less desirable Nixon traits, which prominent Republicans and others began to deplore so openly upon his fall from grace," wrote Sorensen, "were public knowledge for years."

There is little of the fine reporting and careful building of a circumstantial case that characterized *Cover-up* and some of the other early Watergate books. But with the Judiciary Committee's evidence books and many of the White House tapes, now public record, there is less call for that sort of work.

What the post-Watergate books add is perceptions, not evidence of new crimes.

Breslin spent the summer of 1974 camped in the office of House Majority Leader Thomas P. (Tip) O'Neill, waiting for the impeachment inquiry to move from the Judiciary Committee into the House, where he would have a ringside seat for the knockout. It never got there, of course. Nixon fled in disgrace to San Clemente, and Breslin was left with several notebooks filled with stories about a man whose role in the ouster was marginal at best.

But they are fine stories, and Breslin tells them well, and if the book isn't a definitive history (as one person on the impeachment staff noted, Breslin seems to think that the only people involved in the process were Irish or Italian or from West 79th Street in New York) it is nonetheless

the most entertaining book yet written about Watergate.

Breslin the reporter came up with a couple of scoops, the most important being a story (vehemently denied by Jeb Stuart Magruder) that even while he was doing time in Allenwood and preparing to testify against his former friends from the White House, Magruder was trying to do one last number for Nixon: giving the word to former Representative Cornelius Gallagher (D-N.J.), who was doing time for tax evasion, that Nixon would be grateful for any information that could be used against Peter Rodino.

He also passes the word that staff investigators were intrigued by the very small amount of time that Nixon appeared to spend with his wife, and drops hints that perhaps the President wasn't quite right in those final months. One story Breslin uses to illustrate that last point dates back to the Yom Kippur War, when—Breslin says—Nixon repeatedly interrupted a briefing that Kissinger was trying to give to a group of congressmen to announce that Kissinger “was in bed with a broad” when the Secret Service finally located him to tell him about the outbreak of war. And all the while, Breslin said, Nixon was winking and leering and “giggling and rolling his head around”—so much so that O'Neill wrote in his notes of the briefing: “President is acting very strangely.”

Breslin, to his credit, does not try to inflate O'Neill's role in the drama. But he makes the point well that, in politics, the illusion of power often is power, and that O'Neill whose office of majority leader is not even mentioned in the rules of the House—took on great power when he decided that a primary duty of the majority leader was to “make rapid the removal of Richard Nixon.”

When O'Neill decided that Peter Rodino's committee was moving too slowly and demanded a timetable, Rodino and his aides were unanimous in their outrage (“What has Tippy O'Neill got to do with you? You're a committee chairman,” protested aide Francis O'Brien) but produced the timetable.

Sorensen's slender little book (which, leaving aside the question of the quality, reminds us that \$8.95 doesn't buy as much paper and ink as it used to) grew out of a series of lectures on the presidency that he gave in the autumn of 1974 at the Massachusetts Institute of Technology. It is at once an attack on Nixon as a corrupt and weak chief executive, and an argument for the traditional—albeit somewhat less in vogue since Watergate—liberal support of strong presidents.

His argument is that presidential power is neither unchecked nor excessive, and that many of the aberrations stemmed not from misuse of legitimate power, but from Nixon's attempts to exert power that was not his in the first place. The power was never his to nullify legislative authority over spending (by unprecedented impoundment of funds), to nullify congressional mandates (by ordering the dismantling of the Office of Economic Opportunity), or to attempt a far-reaching and illegal domestic intelligence plan (the so-called Huston Plan).

“In short, Richard Nixon is not proof of excessive powers in the Presidency, for he was ultimately found to lack such powers,” Sorensen writes. “His misconduct, concluded the House Judiciary Committee, “cannot be justified under the most expansive view of the discretionary or inherent powers of a President.”

The former Kennedy speechwriter, who makes his case with wit, clarity and con-

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siderable skill, goes further—asserting that Nixon was not even one of our strong Presidents. “An attempt to monopolize power, close off dissent and place oneself above the law in defiance of all other institutions is not what is meant by a strong presidency,” he writes. “Excessive secrecy and seclusiveness are not signs of greatness; nor are an imperious tone, an arrogant and swollen staff, grandiose homes with tax-paid improvements, or guards in comic-opera uniforms.

“Nixon constantly sought more power, but was notably unskilled in utilizing the power he already had.”

Sorensen's bottom line is that the office of the presidency need not be weakened—only made more accountable to Congress, to the courts, and to the people. If Congress took seriously its powers to confirm presidential appointments, to oversee executive agencies, and to restrain the chief executive and hold him accountable, he says, we most likely would not find ourselves in the situation we are in today: where there are “many college students [who] cannot even remember life under a President whom they respected

Mankiewicz comes on as the avenging angel of the McGovern campaign, trashing not only Richard Nixon but also a handful of establishment columnists (Joe Alsop and Evans and Novak among them)

whose principal sin—one suspects—was not just that they were wrong about the prospects of and the need for impeachment, but that they did a job on McGovern in 1972.

The central themes of the book are valid, although by no means unique. The first is that Nixon was destroyed not by the press or the politicians, but by the law. The second, which is attendant, is that because of this the traditional “insiders” of the press who had good political contacts were most often wrong in their predictions while the “outsiders” who ignored the politics of impeachment and concentrated only on the evidence were more often right.

“What was going on in 1973 and 1974 was not a political or public relations event,” he writes, “it was a legal event, and there is a big difference. The old rules don't apply. A grand jury can't be filibustered; a jury verdict or a jail sentence can't be amended in a conference committee; Supreme Court justices don't honor political IOUs.”

The different authors give different weight to the various forces that brought Nixon low. Sussman—while by no means claiming credit for his paper—concentrates on the case as pieced together by The Post. Mankiewicz focuses on the legal process (as opposed to the political process), while Breslin reminds us that there were places where Nixon could have slipped through the net had not

some men like O'Neill using their political savvy (as opposed to legal skills) moved in to block him.

But of them all, only Breslin makes the crucial point: by the time it happened, it had already happened. The same Congress that ended a war only after it had effectively been ended by the American people, got ready to impeach a President only after the people already had crossed him off.

It was July, 1974, and while the members of the Judiciary Committee were still pouring through their massive evidence books, and debating the true meaning of the Watergate tapes, O'Neill was in Cheyenne, Wyoming, where he had gone

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to make a speech for the local congressman, Teno Roncalio. Roncalio's constituents had given Nixon 75 per cent of the vote just two years before, and after Roncalio had indicated he would vote for impeachment O'Neill decided to make the trip to Cheyenne because he figured that Roncalio would need all the help he could get.

What he found was something much different. "Later, as the plane flew back through the night to Washington," writes Breslin, "Teno Roncalio tried to sleep, and O'Neill sat in the darkness and smoked a cigar and looked out the window. He said it just once:

"'Wyoming,' he said, '[Nixon] doesn't have a vote in Wyoming. This thing has been over for months.'"

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