

High Noon at the Hearings

Precisely one year after the first Watergate arrests, the most pervasive of all U.S. political scandals reaches a pivotal and perhaps historic point this week. While President Nixon entertains the Soviet Union's Leonid Brezhnev in a visit symbolic of Nixon's loftiest accomplishments in office, most of the nation will be tuned with a mixture of fascination and fear to the televised words of John Wesley Dean III, who observed and participated in the worst of the Administration's illegality and misconduct. The words of Dean, the fired presidential counsel, may well determine whether the President will emerge from the Watergate tragedy totally crushed, severely crippled, or with a solid chance to regain some of his lost strength.

Dean's potentially fateful testimony is expected to occupy the entire week's hearings of the Senate Select Committee on Presidential Campaign Practices. He is scheduled to give an opening statement that may well take a full day, before the seven Senators question all of his allegations. Dean has vowed to tell for the first time everything he knows about the Administration's political espionage and the conspiracy to cover it up. In the process, he is expected to deeply damn his own actions. But his lawyers contend that what Dean knows will also directly implicate the President.

His credibility could hinge, of course, on whether he can substantiate some of his charges with evidence beyond his word. Otherwise, it might be a matter of John Dean's word against Richard Nixon's.

Each Senate committee witness meets privately with the committee staff in advance of his public testimony to discuss the main points he will make. Dean met with the staff last week, and committee officials and other sources provided this preview of what, in fact, Dean will say. Among other things Dean will claim:

► President Nixon had no advance knowledge, so far as Dean is aware, of the Watergate wiretapping plans.

► After the arrests at the Democratic headquarters last June 17, Nixon was deeply involved in the efforts to conceal any participation of White House and top Nixon re-election committee officials in the burglary and eavesdropping plans. Dean talked personally with Nixon about the cover-up many times.

► The President in one conversation with Dean agreed that \$1,000,000 could be made available for the arrested men to help keep them silent about the true origins of the project.

► The possibility of offering the arrested conspirators Executive clemency if they were convicted was dis-

cussed with the President by former White House aides John Ehrlichman and Charles W. Colson.

► Plans for the Watergate break-in and wiretapping were known in advance by former White House aides H.R. Haldeman, Gordon Strachan and, in Dean's belief, Colson.

► Dean does not know whether Attorney General John Mitchell approved the Watergate wiretapping operation but contends that if he did so it was only under strong White House pressure originating with Haldeman. One wiretapping target, former Democratic National Chairman Larry O'Brien, was selected by the White House on the orders of Haldeman.

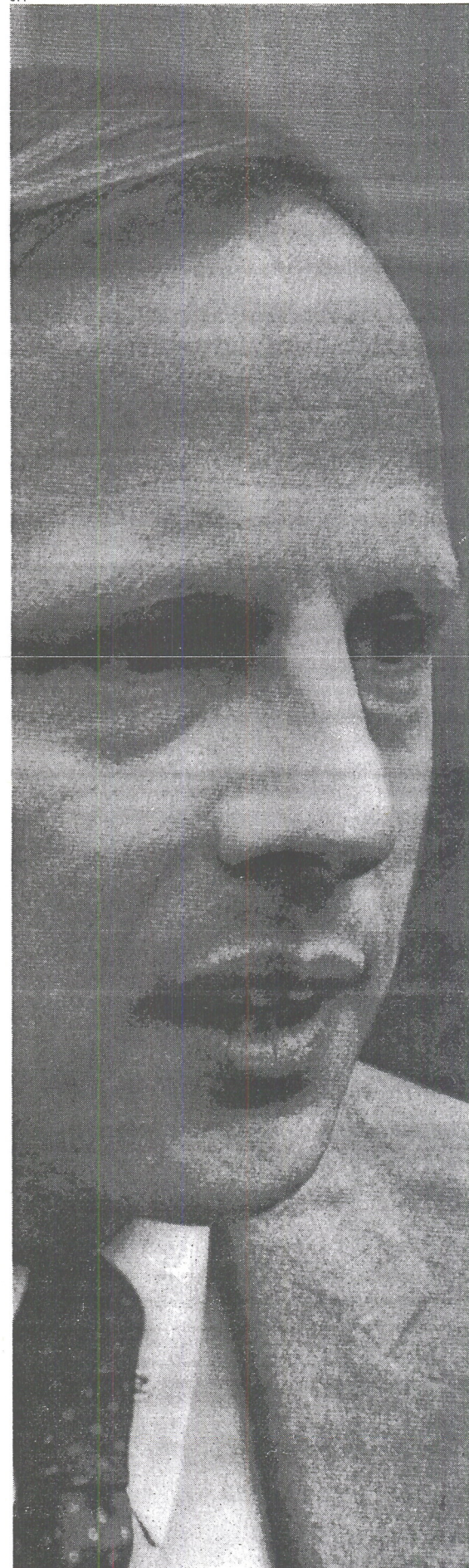
► Despite Nixon's past denials, the President ordered the 1971 burglary of a Los Angeles psychiatrist's office in search of information about Pentagon Papers Defendant Daniel Ellsberg—a burglary that contributed to dismissal of the case. Dean claims he was told this by Egil Krogh Jr., a member of the five-man White House "plumber" team assigned to plug news leaks.

In its four weeks of hearings, the Senate committee, chaired by North Carolina's wily Sam Ervin Jr., has carefully prepared for this climactic moment. The orderly progression of witnesses has moved from the naive young Nixon organizers who seemed genuinely betrayed by the unethical behavior of their superiors to those higher officials actually involved in the lies and deceptions. The stage for Dean's testimony was most directly and dramatically set last week by Jeb Stuart Magruder, the affable, intelligent former deputy director of the Committee for the Re-election of the President. Testifying briskly and matter-of-factly, Magruder portrayed Dean as a key figure in nearly every step of the Watergate planning and its concealment.

Magruder also conveyed a depressing climate of fear and frustration among the many Nixon associates who resorted to lawlessness in the belief that any means was justified to achieve the high purpose of re-electing Richard Nixon. Strangely, they seemed not to have enough confidence in their leader to entrust the free-flowing political processes of democratic government to return him to office.

Nervously tonguing Life Savers, but seemingly assured in his devastating details, Magruder openly admitted that earlier he had repeatedly lied to the FBI, the Watergate grand jury, and at the Washington trial of low-level defendants, to keep the scandal from touching the White House. But now, apparently remorseful as well as trapped by the crumbling of the whole conspiracy, he seemed entirely credible as he im-

UPI



JOHN W. DEAN III

plicated men close to Nixon. They included:

John Mitchell. Magruder testified that the former Attorney General and head of the Nixon re-election committee attended three meetings at which the illegal espionage plans were discussed, finally gave an unenthusiastic but firm approval to the bugging of Democratic National Committee headquarters and also to plans never carried out to wiretap other Democratic offices. At the time he was considering these unlawful decisions Mitchell was the Attorney General of the U.S.—the highest lawyer in the land. By the time Mitchell received the results of the Watergate burglary, in the form of photographs of Democratic documents and summaries

of telephone conversations, he was head of the re-election committee. He told Magruder and the bugging team's planner, G. Gordon Liddy, that he was dissatisfied with the reports. This led the Nixon committee's burglary team to the second—and disastrously bungled—break-in. After the Watergate arrests, Magruder claimed, Mitchell, who resigned from the committee almost at once, nevertheless played a major role in planning the cover-up activities, which included denials, false stories, and payoffs to the arrested men to keep quiet.

John Dean. According to Magruder, he attended two of the meetings with Mitchell and Magruder at which Liddy, the Nixon committee's legal

counsel, presented his illegal, even bizarre, espionage plans. After the arrests, including that of Liddy, Dean was at least as active as Mitchell in the cover-up efforts.

H.R. Haldeman. Magruder said he did not have any direct personal knowledge that Nixon's chief of staff, the highest-ranking aide in the White House, knew of the Watergate plans in advance. But he testified that he kept Haldeman's assistant, Gordon Strachan, fully informed about these plans, as well as of the cover-up operation, and since Strachan's role was as liaison between the Nixon committee and Haldeman, he "assumed" Haldeman knew about them. If not, Magruder said under questioning, Strachan was not performing

How John Dean Came Center Stage

Late one week last March, John Wesley Dean III's telephone rang. It was the President calling with a friendly suggestion. Why didn't he take his pretty wife to Camp David for the weekend? They would have the place to themselves, and the counsel to the President could stay on to write his long-overdue report on Watergate. That was the report of the investigation that Dean had supposedly made seven months before—an investigation that, Nixon had told the nation in mid-campaign, showed no one then employed at the White House

was involved in the Watergate scandal.

John and Maureen ("Mo") Dean took the President up on his invitation for the weekend. But instead of relaxing during long walks in the piney woods, Dean thought about the carefully planned Watergate cover-up that was coming apart. Even worse, he suspected that he was marked out as the "fall guy." Finally, he sat down in the rustic cottage and began to write. As he later told a friend: "The pen wouldn't write the 'fairy tale' they wanted. It kept spelling out the truth." In despair, he threw down his pen and declared to Mo: "My dad once told me that when you're cornered, there's only one thing to do—tell the truth."

That must have been the hardest decision Dean ever made, for he had prized loyalty all of his life. At Virginia's Staunton Military Academy, he is best remembered not as an All-America backstroker but as having been extraordinarily willing to sacrifice himself for others. "Whatever helped the team was what he wanted to do," recalls his old swimming coach, Colonel Ed Dodge. "If I had to take John out of one event in which he excelled and put him in another where he didn't, he'd do it and never complain."

At every step in the 34-year-old Dean's brief career as a lawyer and Government official, associates recount similar experiences. Loyalty, in fact, is most often cited to explain his meteoric rise to counsel to the President—and his presence at the heart of the Watergate scandal. Since his precipitous fall from grace, however, other past colleagues have revealed glimpses of Dean's darker side. Some find him lacking in strong principles; others consider him overwhelmed by ambition. Declares one rather caustically: "He's a good moth. He knows how to find the light."

Just what John Dean really is may become a little clearer this week during

his scheduled appearance before Senator Sam Ervin's Watergate committee. Despite all the publicity since he was fired from his White House job April 30, he has remained a shadowy figure. Through leaks and innuendo, his enemies have tried to discredit his testimony in advance by describing him as a craven, cowering man who is testifying only to save himself from prison where he fears homosexual rape because of his blond-boyish good looks. Dean denies having such fears and has used his own attorneys and associates to portray himself as being interested only in getting the truth out. But first he demanded immunity from prosecution for what he says, and he slipped tidbits of information to various newspapers and magazines in an effort to win their support in his campaign.

Even before Watergate, Dean was hardly known outside the tight-knit circle of the White House staff. He shunned publicity, avoided controversy and cultivated a reputation of being one of Nixon's most faithful liege men. As presidential counsel, he worked out the legal basis for Nixon's impoundment of funds, broad use of pocket vetoes and Executive privilege. He also helped arrange Nixon's commutation of jail sentences being served by Teamster Boss Jimmy Hoffa (which was widely interpreted as a political gesture in return for Teamster support of Nixon in the election) and by Mafia *Capo* Angelo ("Gyp") DeCarlo. Nonetheless, Clark MacGregor, who headed the re-election committee after John Mitchell resigned, recalls Dean not as part of the power elite but as a "wall sitter"—one who carried out policy rather than helped make it.

Born in Akron, Dean was raised with his sister Anne in several Midwestern cities, as their father rose through the executive ranks of Firestone Tire & Rubber Co. Later the elder Dean settled in Greenville, Pa., where he became vice president of a company that manufactures playground equipment. At

JOHN DEAN WITH WIFE MAUREEN



STEVE HORTHURP

his duties. Moreover, Magruder said that in January he personally told Haldeman the entire story of how Watergate was planned and how the cover-up was being carried out, including the fact that he, Magruder, was planning to commit perjury. Haldeman promptly denied Magruder's allegations.

While Magruder's story also implicated lesser Nixon associates such as Fred LaRue, Mitchell's deputy at the Nixon committee, and Robert Mardian, the committee's political coordinator, the testimony of Maurice Stans, former Commerce Secretary and Nixon's chief campaign fund raiser, tied in two other of the President's most intimate advisers: John Ehrlichman, former domestic affairs chief, and Herbert Kalmbach,

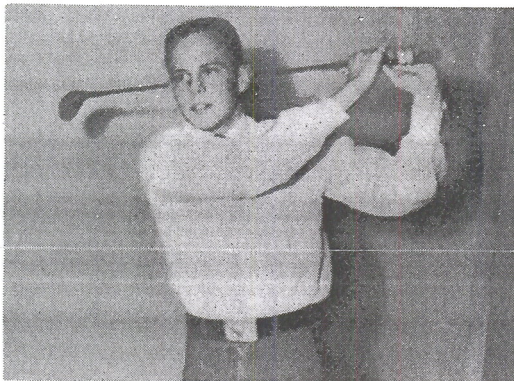
Nixon's dismissed personal attorney. Stans said he gave Kalmbach \$75,000 in cash for a "White House project" having "nothing to do with the campaign" and was told later by Kalmbach that this was payoff money for the Watergate defendants. Worried about the legality of the payments, Kalmbach told Stans that both Dean and Ehrlichman had assured him that the transaction was indeed legal.

The net of Watergate knowledge thus was drawing ever tighter around the men close to the President, but no one as yet had implicated him directly. Said Magruder: "As far as I know, at no point . . . did the President have any knowledge of our errors in this matter. He had confidence in his aides, and I

must confess that some of us failed him." What Magruder's story made clear was that everything he and his fellow conspirators did was done in the earnest hope that their schemes would help and later protect Nixon.

THE PLANS

For the first time, a specific goal of the puzzling and seemingly pointless Watergate bugging was explained. The aim, as Magruder described it, was to gather information that could be employed to "discredit" Larry O'Brien, then the Democratic national chairman, whose office was the target of burglary and bugging. Why? "He was certainly their [the Democrats'] most professional political operator. He could be very



DEAN AS SCHOOLBOY GOLFER . . .



. . . AS COLLEGE SENIOR . . .



. . . AS MILITARY SCHOOL CADET

Staunton, young John studied self-hypnotism to improve his concentration and roomed with Barry Goldwater Jr., who now is his neighbor in Alexandria, Va. Dean graduated with a low B average and got by at Colgate with gentlemanly C's before transferring to Ohio's College of Wooster in 1959. There he founded a student pre-law club, played the part of a redneck witness in a campus production of *Inherit the Wind* and wrote a senior thesis on "The Social Responsibilities of the Political Novelists." He earned a master's degree in public administration from American University in 1962 and his law degree from Georgetown in 1965.

He joined a Washington law firm, but his career as a practicing attorney ended sourly six months later. Assigned to help prepare a client's application for a new television station, Dean was discovered to be working on a rival application—for himself and some friends—and was fired. He was promptly hired as minority counsel for the House Judiciary Committee by its ranking Republican, Representative William McCulloch, who was both a fellow Ohioan and Wooster alumnus.

For two years, Dean concentrated on civil rights legislation and on criminal law reforms. In 1967 he became associate director of a now defunct panel (the National Commission on Reform of Federal Criminal Laws), which was

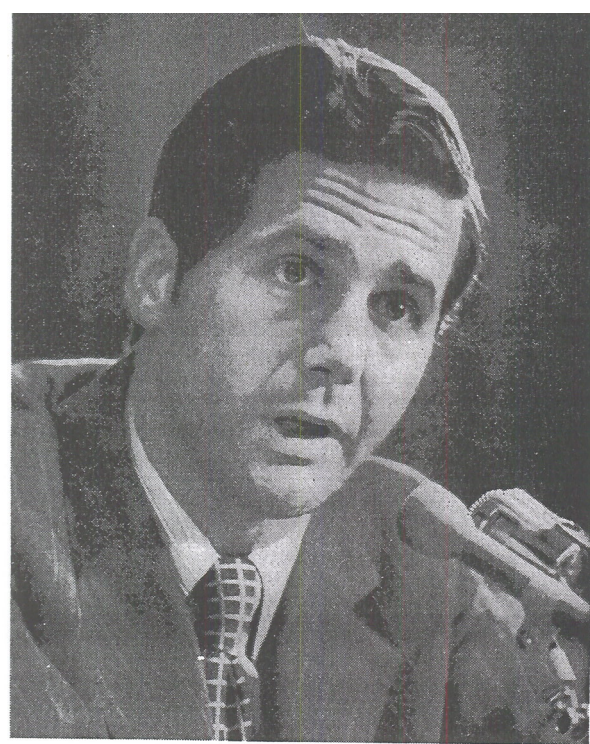
set up to advise Congress and the President. There he struck one colleague as courteous, pleasant to work with but somewhat facile. Recalled the colleague: "He gave the appearance of having more poise and assurance than he really possessed."

In 1969 Richard Kleindienst, who was then Deputy Attorney General, hired Dean as the Justice Department's liaison with Congress. As such, he was in charge of lobbying efforts for the ill-fated nominations of Clement Haynsworth and G. Harrold Carswell to the Supreme Court. His loyalty to the Administration so impressed senior White House staffers that he was hired to succeed John Ehrlichman as presidential counsel in 1970. In that job, Dean appeared to be a man of rigid principle, even when he was secretly helping to cover up Watergate. Once a junior staffer asked whether he could accept a \$200 honorarium for a speech. "No, sir," Dean declared. What if he turned the money over to his church? "No," Dean repeated. "Nobody on the White House staff is going to accept money for anything."

Undoubtedly, Dean's career was furthered by his good looks and his command of the social graces. Detractors also suggest he was helped along by his first marriage—to Karla Hennings, the daughter of the late Senator

Thomas C. Hennings of Missouri. She bore his son John IV, now 5, but the marriage ended in divorce three years ago. Last fall Dean married Maureen, a former insurance saleswoman from Los Angeles.

From the outset, John and Mo Dean maintained a low social profile in their \$70,000 brick town house on Quay Street in Alexandria's affluent Old Town section, just 200 yards from the Potomac. Now, of course, the profile is lower still. Occasionally, they eat out with the Goldwaters, who live across the street. One recent Saturday, another neighbor, Ervin Committee Member Lowell Weicker, dropped in for beer and pretzels. Before the worst of Watergate, the Deans played tennis and golf, swam and sailed their 18-ft. boat. Nattily dressed in broad-lapel suits and wide ties, Dean used to drive to work a purple Porsche 911 as highly polished as his shoes. Now he and Mo stay home. Although hidden from public view by drawn shades, he still looks tanned. The tan is inexplicable; he told a recent visitor: "I haven't been in the sun for days. I would call it a bourbon pallor; except I haven't had a drink for days either." For the most part, in these last weeks leading up to his climactic appearance before the Ervin committee, he has worked in his basement, putting his letters and other documents in order, preparing for his ordeal.



WALTER BENNETT

JEB STUART MAGRUDER
Escaping scapegoat time.

difficult in the coming campaign." O'Brien had been especially effective, Magruder said, in assailing the Administration's claim that politics had not influenced a favorable settlement of anti-trust cases against ITT. Mitchell was irate, according to Magruder, when the first break-in failed to link O'Brien with an alleged Democratic Convention kickback scheme involving a business exposition, which was proposed but never held.

While deplorable, that goal was not as wild as the eccentric Liddy's first espionage plans. Bearing a price tag of \$1,000,000 and supported by six elaborate organizational charts, they were presented by Liddy at a meeting with Mitchell, Dean and Magruder on Jan. 27, 1971. Magruder testified that Liddy wanted to kidnap radical leaders who might be tempted to disrupt the Republican National Convention and detain them "in a place like Mexico, and they would then be returned to this country at the end of the convention."

Liddy also proposed renting a yacht during the Democratic Convention in Miami Beach, using call girls to lure Democratic officials to it, "and having it set up for sound and photographs." Magruder said that he, Dean and the Attorney General all were "appalled" at Liddy's plans, mainly because of "the scope and size of the project." Mitchell turned it down, with characteristic understatement, as "unacceptable."

But Liddy was encouraged to work up more modest plans, and he presented these at a meeting of the same officials a week later. This time the projected cost was \$500,000. Kidnaping and call girls were dropped and the Democratic wiretapping targets discussed. Either Mitchell or Dean, Magruder said, also suggested trying to get some anti-Muskie information that might be in the

safe of Las Vegas Newspaper Publisher Hank Greenspun. Liddy was asked to see if a burglary of Greenspun's office was possible. (He later flew to Las Vegas, but the break-in was never carried out.) Mitchell still "did not feel comfortable" with the cost of Liddy's proposals, although again Liddy was encouraged to continue plotting.

It was at a third meeting, held in Key Biscayne on March 30, 1972, after Mitchell had become head of the Nixon committee, that Mitchell approved a scaled-down Liddy espionage plan costing \$250,000, Magruder testified. This meeting was attended only by Magruder, Mitchell and LaRue. The plans included three Democratic office targets. Magruder explained that it was "a reluctant decision," almost "a throw-away." Mitchell had merely said, in Magruder's paraphrase: "O.K., let's give him a quarter of a million dollars and let's see what he can come up with."

Pressed by the Ervin committee's Republican vice chairman, Howard Baker, Magruder explained that the reluctance to accept the plan stemmed from the fact that "it was illegal and it was inappropriate and it may not work."

Asked the incredulous Baker: "If you were concerned because the action was known to you to be illegal, because you thought it improper or unethical, that you thought the prospects for success were very meager and you doubted the reliability of Mr. Liddy, what on earth would it have taken to decide against that plan?"

Magruder: "Not very much, sir. I am sure that if I had fought vigorously against it, I think any of us could have

had that plan canceled. It was almost canceled."

Nevertheless, it was approved, Magruder continued, mainly because many of the Nixon aides had become frustrated in sticking to legal means while dealing with antiwar groups. Magruder thought these activists had been using illegal tactics in demonstrating against the war and were preventing the President from ending the war as quickly as he wished. Magruder explained that at Williams he had taken a course in ethics from the Rev. William Sloane Coffin Jr. (see box), and "he was quoted the other day as saying, 'Well, I guess Mr. Magruder failed my course in ethics,' and I think he is correct . . . He tells me my ethics are bad. Yet he was indicted for criminal charges. He recommended on the Washington Monument grounds that students burn their draft cards and that we have mass demonstrations, shut down the city of Washington. Now here are ethical, legitimate people whom I respected. I respect Mr. Coffin tremendously . . . We had become somewhat inured to using some activities that would help us in accomplishing what we thought was a legitimate cause."

Magruder conceded that he is now aware that this thinking "is absolutely incorrect; two wrongs do not make a right. I fully accept the responsibility of having made an absolutely disastrous decision, or at least having participated in it." Commented Baker: "A decision really that is going to affect history that was made in almost a casual way." Magruder: "Yes, sir."

Near the end of his testimony, Magruder said that he was "not going to

The Coffin Course in Ethics

Religion and Social Ethics: The types of ethical thought developed in the first semester will be applied to such problem areas of contemporary society as 1) race & racism; 2) sex & family; 3) economic ethics; 4) political ethics; 5) national ethics. These and similar problems will be studied by reading and analysis of such documents as Myrdal's An American Dilemma, various Papal Encyclicals, and statements of other religious bodies.

Such was the catalogue description of one of the last courses Jeb Stuart Magruder took at Williams College. It was taught by William Sloane Coffin Jr., who became chaplain of Yale later that year. Ordinarily, courses of this kind are soon largely forgotten by student and teacher alike. But 15 years later, this one was injected into national politics. Under tight control for most of his testimony before the Ervin committee, Magruder grew momentarily impassioned when he recalled the experience.

He agreed with Coffin that, because of Watergate, he could be said to have failed the course. But he argued that Coffin's own antiwar activities helped him justify his misdeeds.

In the wake of Magruder's testimony, TIME Boston Bureau Chief Sandra Burton interviewed Coffin. The chaplain does not find Magruder's arguments persuasive and still flunks him on ethics. "There was not very much on civil disobedience in the ethics course I taught," he says, "so poor old Jeb never learned to tell the difference between civil disobedience and violations of the Constitution by the Administration."

He points out that at the placid Williams campus in the 1950s, there were no civil rights or antiwar protests to teach the meaning of ethics. "Values are not so much taught as caught. Without the experience it's pretty hard for the ethics to sink in. Your education is largely a game of intellectual volleyball. Magruder ended up lumping all law-

lay down and die" because of his participation in Watergate. "I think I will rehabilitate myself . . . and I hope to be able to live a useful life." Impressed, Ervin reminded Magruder of a poem reading: "Each night I burn the records of the day. At sunrise every soul is born again." And he told Magruder that he had "the greatest asset that any man can have—you have a wife who stands behind you in the shadows where the sun shines."

While Magruder expects to serve a brief prison term, he has already started a small marketing consultant firm and hopes to be able to support his wife Gail and their four children. Now that he has decided to tell the truth, his friends say, he seems more at ease, and feels that the worst for him may be past. Yet his experience is one of Watergate's many personal tragedies.

Through a career that included Army service in the Korean War, work with a Chicago management consultant firm, and the founding of two small cosmetics companies in Los Angeles, Magruder was described as "charming, a nice guy, anxious to please." As a Nixon political aide, Magruder "had a good feeling for publicity and advertising," said one associate, "but I wouldn't want him to analyze a major policy issue." That willingness to please and that inability to analyze may have been what led Magruder, and too many others in the Nixon campaign, to fall into the Watergate sinkhole.

THE COVER-UP

After the arrests at the Watergate a year ago, it was quickly learned by the Nixon committee's top officials that



HERBERT KALMBACH

The net of knowledge was drawing ever tighter.



ROBERT MARDIAN



CHARLES COLSON

the committee's security chief, James McCord, was one of the men arrested and that the men were carrying cash that could possibly be traced to the Nixon organization. This second break-in had been made to remedy malfunctioning eavesdropping equipment. Testified Magruder: "There was no question that the cover-up began that Saturday when we realized there was a break-in. I do not think there was ever any discussion that there would not be a cover-up." Why? Magruder said he thought that if it became known that anyone as high in the campaign as Mitchell was involved in the burglary plans "the President would lose the election."

Many meetings then took place to keep the true story from emerging. Magruder said the most frequent participants were Mitchell, Dean, LaRue and himself, with Mardian only a shade less active. The decision was made to make

it appear that Liddy had planned and directed the affair alone.

This involved two difficult general problems: 1) Explaining why Liddy was given some \$199,000 in Nixon committee funds if he was working only on legal advice to the committee, and 2) keeping the arrested men from revealing that higher officials actually had been involved.

The Liddy money problem was handled mainly by vastly exaggerating the cost of Liddy's actual legal activities and devising a false story that he had been given \$100,000 to recruit ten agents at \$1,000 a month each for ten months, to legally gather intelligence on Democratic candidates (presumably by attending political rallies, reporting on speeches, clipping newspapers). Magruder said he was coached on his cover-up testimony by Dean, Mardian and Mitchell before he first carried these lies to the Watergate grand jury.

Then there was the second problem, that of paying salaries and attorneys' fees for the arrested men and holding out the possibility of Executive clemency if they were convicted. Magruder testified that he did not know who handled that task. But he said he knew that it was being done—and he asked Dean and Mitchell for the same deal for himself in return for his own false stories. He said they agreed.

Nevertheless, Magruder got nervous about whether everyone was standing behind all the lies when he had a meeting with Dean in December or January at which Dean's memory seemed to be failing. The Watergate grand jury was reconvening and Magruder felt that the cover stories might not survive another probe. Dean's vagueness indicated to Magruder that the conversation probably was being taped. "I thought that this maybe was becoming scapegoat time, and maybe I was going to be the scapegoat."

That was what led Magruder to go to Haldeman in January and tell "the true facts." Haldeman has told Ervin committee investigators that there never was such a meeting. Since both Magruder and Haldeman were under oath, the conflict could involve prosecution

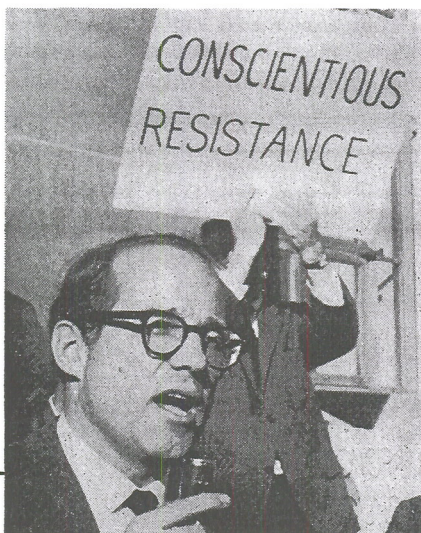
breakers together. By that way of thinking, Jesus and Jimmy Hoffa are two of a kind. He has never examined the possibility that sometimes there is no way to test the constitutionality of a law except to disobey it. You could say that however pathetic our [antiwar] efforts were, we were trying to keep the nation under law or under God. whereas

Jeb and his cohorts were trying to keep it under Nixon."

Although Magruder was only a middling student who did not do enough reading, Coffin says he was "very fond" of him. Indeed, he observes, "the real moral of this story may be that to do evil, you don't need to be a Bengal tiger. It is sufficient to be a tame tabby. That's the way I look at Jeb." Magruder used to babysit for him at Williams, and they had many talks. "He was charming, friendly and good company. But he was not tough inside. My line to him as to so many students in the 1950s was: 'You're a nice guy but not yet a good man. If you don't stand for something, you're apt to fall for nothing!'"

Teacher and pupil corresponded until 1968 when, says Coffin, "Jeb joined forces with Goldwater, and I guess he thought I must have given up on him." Watergate, Coffin believes, may finally have forced Magruder into an encounter with himself, and he would like to renew the correspondence. "It would be interesting for the two of us to sit down and talk again."

COFFIN PROTESTING WAR (1967)



DON CARL STEFFEN

for perjury. Another conflict with Haldeman testimony appears to be shaping up with his assistant, Gordon Strachan. The latter has told the same investigators that Haldeman was aware of the cover-up from its beginning and also had received the Magruder memos on Liddy's various espionage plans. Haldeman also denies this.

THE FINANCING

The suave and dignified Maurice Stans, smiling thinly with veiled condescension at some of the Senators' rougher questions, had been the first new witness of the week, a sharp contrast to all the nervous, penitent young men who had appeared earlier. Stans portrayed himself as totally immersed in the problem of raising nearly \$50 mil-

PAUL CONKLIN

Herman Talmadge produced a Stans memo warning his aides that accounts be kept on such relatively minor items as the sales of bumper stickers. Talmadge pointed out that Stans was not able to account in detail for the receipt of some \$750,000 and the expenditure of \$1,777,000—both in cash—and asked: "You are considered to be one of the most able certified accountants in America; why did you worry about bumper strips instead of those funds?" Replied Stans: "Well, Senator, the accounting for proceeds of sales of articles was an important responsibility under the statute."

One of the first signs of intense political tensions on the Senate committee flared after Ervin had caustically interrogated Stans about his admitted destruction of financial records shortly after the arrests at the Watergate. Ervin variously called this coincidence "queer" or "suspicious." Snapped Stans: "Mr. Chairman, the adjectives are yours."

Ervin also seized on a relatively minor matter: the allocation of some \$50,000 in Nixon campaign cash to a Maryland Republican group holding a dinner for Vice President Spiro Agnew. Stans said this money was given in cash so it could be mingled with the receipts from the dinner and make it appear that the affair was more successful than it was. That, said Ervin, was an attempt "to practice a deception on the general public as to the amount of honor that was paid to the Vice President." Agreeing, Stans replied: "I am not sure this is the first time that has happened in American politics." That led Ervin to retort solemnly: "You know, there has been murder and larceny in every generation, but that hasn't made murder meritorious or larceny legal."

A few moments later, Florida Republican Edward Gurney sharply protested: "I for one have not appreciated the harassment of this witness by the chairman. I think this Senate committee ought to act in fairness."

Smiling broadly, Ervin resorted to his folksy innocence: "Well, I am sorry that my distinguished friend from Florida does not approve of my method of examining the witness. I am an old country lawyer and I don't know the finer ways to do it. I just have to do it my way." The Senate Caucus Room broke into loud applause, before Republican Baker smoothly interrupted to divert attention from the argument and calm the committee mood. Yet as the stakes grow higher, more such partisan displays are certain to break out.

Those stakes will, of course, be immense this week. If Dean proves persuasive and, moreover, can document some of his charges about Presidential involvement, the demand for Nixon's resignation or impeachment undoubtedly will grow. On the other hand, if Nixon can ride out what John Dean has to say without great damage, he will have a good chance to survive in office.

Watergate on TV:

Television, like history, has no precedent for Watergate. There have been other scandals and hearings—notably Estes Kefauver's crime probe of 1951 and the Army-McCarthy confrontation of 1954—but those took place before the epoch of the Living Room War and the three-set family. Yet even back in the '50s, when TV aerials decorated only half the American roofs, Joseph Welch, hero of the McCarthy hearings, warned: "Perhaps we should never televise a hearing until we are as completely adjusted to television as to our newspapers, until such time as no judge, no juror and no witness is appalled, dismayed or frightened by the camera, any more than by a reporter's notebook."

That day may have arrived, but at least one legal authority, Special Watergate Prosecutor Archibald Cox, apparently finds the camera awesome and troubling. So troubling that he sought to have part of the Watergate hearings closed to TV. It was not print reportage that he feared so much as the camera. Its special qualities of magnification, its instantaneous publicity, seemed to allow no chance for perspective. Witnesses can use it unscrupulously; events can be publicized out of proportion until, at last, justice itself may be undone. Klieg lights often throw more heat than illumination. Hearsay evidence can be spoken out of context. Mistakes cannot be edited on live TV. Even the most innocent cameraman can, at a tense moment, transform the zoom lens into a character assassin.

Yet it is easier to appreciate Senator Ervin's counterpoint. After a year of judicial sloth, he and his colleagues argued, television has actually accelerated justice. Facts that seemed irretrievable are now brought out in microseconds. Mystery figures are exposed as quite ordinary men. The conspiracy and cover-up no longer seem the work of shrewd political masterminds. Indeed, the figures on the screen are frightening not for their brilliant malevolence but because of their very ordinariness. They might be—and in some cases they were—the conspirators next door.

It is because of television's power that the Watergate hearings have perhaps served to mend, rather than rend the political and social fabric. To be sure, Senators are not above using the networks for publicity, but they have been scrupulous about the witnesses' rights and privileges—within the fairly loose rules of a Senate hearing. The witnesses, whether genuinely innocent, regretful or simply anxious to avoid the ultimate penalties, are only too ready to inform the world of past transgressions. The result of all this has been a

FUND RAISER MAURICE STANS
Worried about bumper stickers.

lion for the Nixon campaign, constantly opposing the runaway spending plans of the Nixon political committee, and totally frustrated at his inability to check this "overkill." He claimed complete ignorance of why Liddy, who had become his trusted finance committee counsel, was drawing so much cash—and even, until recently, of the amounts. Such bookkeeping matters, Stans claimed, were the responsibility of his finance committee treasurer, Hugh Sloan Jr.

While it is true that Stans well deserved the senatorial accolades as "the most effective money raiser for any political campaign in the history of the country" and was frantically busy soliciting money, several Ervin committee members seemed skeptical about the central point of his testimony. Could he really be isolated from the secret transfers of cash to finance the Watergate bugging and the expensive payoffs to defendants?

Georgia's stern Democratic Senator