

Part 6/27/73

# Dean's Testimony: The Big 'If'

The opening statement of John W. Dean III left little room for doubt on one point. President Nixon must resign, or be impeached, if Dean is shown to have told the truth about the President's personal involvement in this sorry tale of the obstruction of justice.

The "if" is enormous. While the effort to determine Dean's truthfulness or falsehood is going forward, however, there are already certain things that can be said with confidence. Dean himself is a sleazy and unprincipled man, to begin with. Over a long period of time, he willingly participated in criminal acts. He neither protested nor held back from these acts, until he began to feel personally endangered. At that point, he started running for cover.

The man's entire appearance before the Watergate investigating committee was in truth the culmination of his run for cover. It may not work, in view of the data criminally implicating Dean deposited under seal by special prosecutor Archibald Cox. Yet there is a far better chance that the appearance before Sen. Sam J. Ervin and his colleagues will save Dean from the jail he so much fears.

There is no court in the United States where John Dean can now receive a fair and unprejudiced trial. Under the Delaney decision previously summarized in this space, the federal government, through Senator Ervin and his committee, has greatly helped to create the conditions in which Dean cannot be tried without prejudice. Unless the Delaney decision is reversed, in fact, it is doubtful whether Dean can ever be tried. This aspect of the law was certainly not absent from the minds of Dean and his attorneys.

*"One must wait to judge the veracity of Dean on the President's own involvement."*

It is tempting to linger further on the sheer sleaziness that Dean revealed in this run for cover. Think, for example, of his climactic meeting with H. R. Haldeman and John Ehrlichman, when he sought to make it clear he "was not playing the cover-up game any longer." It was a characteristic touch that he carefully refrained from telling Haldeman and Ehrlichman that he had already begun to talk with the federal Watergate prosecutors.

Yet Dean's sleaziness, alas, was only the smallest part of the horrifying story. One must wait to judge the veracity of Dean on the subject of the President's own involvement. But no one needs to wait to judge the White House system that Dean described in such detail.

It was, to begin with, a system that conferred all but incredible personal power on Haldeman and Ehrlichman. Little things Dean said all too plainly indicated this power's extent. There was, for example, the memorandum Dean prepared for the President, which Haldeman more the less "blocked" in the President's outer office.

This can only mean that Haldeman and Ehrlichman between them almost literally exercised direct, continuous and personal control over all information reaching the President of the United States, on any subject not having to do with foreign affairs and the

national defense. Anyone who controls all the information reaching a President, almost literally controls the President, too. Yet this really seems to have been the nature of the former White House system.

Then one must add the evident distaste of the managers of the former White House system, for anyone enjoying a degree of independence with respect to them. Simple independence was plainly the main crime. Thus ex-Attorney General John Mitchell was at feud with them; but so was Mitchell's altogether different successor, ex-Attorney General Richard Kleindienst.

Shows of independence must in fact have been the ticket of admission to the strange list of proscribed civil servants that was kept in this strange White House. The proscription list, in turn, was the main instrument of the post-election purge of all departments and agencies. It was like the song in the "Mikado"—"I have a little list!"

Worst of all, finally, was the arrogant contempt for the law inherent in the former White House system. That contempt was plain enough in the way the White House "plumbers" group was set up originally, and in the way it was used long before the Watergate break-in. The idea basic to the former White House system indeed appears to have been that the White House was effectively above the law.

Perhaps the system's managers believed they were placing themselves above the law for the good of the country. No sordid motive except passionate love of power seems to have driven them on. But it was a sick system. And whether or not Watergate destroys the President, one must thank God that the former system has at any rate been destroyed.