

Joseph Kraft

# Trail of the Tapes *Part 1/20/74*

The latest development in the matter of the White House tapes shows how much Watergate feeds upon itself. The scandal is a classic example of an inner dynamic at work, of a case that proceeds on its own momentum from one thing to another to another and yet another.

No external force—certainly not the press or the liberal Democrats as Mr. Nixon's defenders now claim—has hoked up the scandal. Neither can any external event—including welcome steps toward peace in the Mideast—divert the affair from its appointed course in the courts and an impeachment hearing. The more so as Mr. Nixon himself has now emerged as the supreme witness—the man who either knows what happened or can find out, if he has the slightest inclination to discover the truth.

The trail of the tapes began with a decision, made by Mr. Nixon, not some liberal Democrat, to record everything that was said in his White House offices. A Nixon appointee, Alexander Butterfield, who had served on the White House staff, revealed the existence of the tapes in response to questions put by Republicans on the Senate Watergate Committee.

John Sirica, a conservative federal judge appointed by a Republican President, ruled Mr. Nixon had to turn the tapes over to the Watergate Special Prosecutor. That ruling was then upheld by a substantial majority on the Federal Court of Appeals.

Mr. Nixon did not seek, as he had previously indicated he would, a definitive ruling in the Supreme Court. Instead, he fired the Special Prosecutor, Archibald Cox. That maneuver backfired when two Republicans to

whom Mr. Nixon had repeatedly appointed to high office—Elliot Richardson and William French Smith—quit as Attorney General and Deputy Attorney General, respectively.

Mr. Nixon's lawyers—not some biased newspaperman—then let it be known that, of the nine tapes they had been contesting for with such vigor in the courts, two did not exist while a third was missing a significant portion. It developed that 18½ minutes of an absolutely crucial tape were missing.

At that point Rose Mary Woods, Mr. Nixon's private secretary and longtime associate, came forward with a story of how she might accidentally have erased a portion of the tape. That story was then subjected to technical examination by a panel of experts approved by the White House. Now the experts have come in with a story which indicates that the missing section of the tape was erased by what looks like deliberate means.

The trail of the tapes, by the simple process of one thing following automatically upon another, thus leads to the overwhelming presumption that somebody was trying to hide the truth. All signs indicate that a crime—the crime of obstruction of justice—was committed.

The time period for the crime is limited, and the number of people is confined to a handful of officials in the White House. So finding out who did what is not impossible. Miss Woods, the President's secretary, has given testimony that conflicts with White House records and the testimony of other White House officials. She can be examined closely before

the grand jury in the shadow of indictment for perjury or obstruction of justice. The four or five other White House aides who had access to the tapes can also be subjected to close scrutiny.

The White House lawyers have played fast and loose with the court system. If he cared to, Judge Sirica could question them, as officers of the court, on how they came to believe in the existence of tapes which, in fact, did not exist or were defective.

No doubt there is one way that this investigation could be turned off quickly. There is only one person among those presently implicated who stood to gain from the erasure of tape—President Nixon. All the others implicated, and especially Miss Woods, are his loyal servants. If he wanted the truth to come out, it would come out in a hurry.

But Mr. Nixon is not that kind of a man. He prefers to fight until the bitter end, using every resource and privilege and power of his great office. That is why the investigation has continued so far. That is why it will have to go forward until a resolution is reached either through trials or an impeachment proceeding.

So it becomes especially ill in these circumstances for Mr. Nixon's defenders to blame his Watergate troubles on the press or the Democratic opposition. The true reason we are all being dragged through Watergate is that the President of the United States is a man whose sense of honor allows the brunt of suspicion and blame for a serious crime to fall upon his faithful secretary.