

April 15:

Fateful

*Part  
8/13/73*

Conversations

Concealed in the deluge of testimony before the Senate Watergate committee is this astonishing fact: President Nixon's immediate response to a warning that his chief aide, H. R. Haldeman, might be criminally prosecuted and should be fired was to give him one of the critically important White House Watergate tapes.

That was not Mr. Nixon's only reaction to the visit paid him—and the ominous warning—on April 15 by Assistant Attorney General Henry Petersen. While recommending immediate dismissal of Haldeman and top domestic policy chief John Ehrlichman, Petersen gave contrary advice concerning White House counsel John W. Dean III: He should be kept on. In less than 24 hours, Mr. Nixon was demanding Dean's resignation.

This chain of events, forged by the testimony of Petersen and other witnesses before the Ervin committee, is unchallenged. It has only two possible explanations.

The first: Mr. Nixon exercised bad

judgment out of misguided loyalty to his two closest aides.

The second, and vastly more sinister: He was party to a clandestine arrangement with them.

The real answer would define the President's overall role in Watergate, and it may lie hidden in the surreptitious White House Tapes of April 15 and 16.

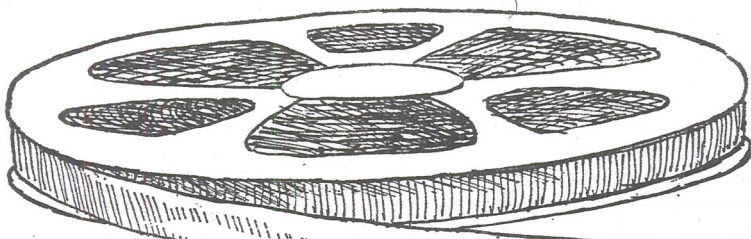
The importance of the fateful April 15 was starkly etched last Tuesday as a bone-weary committee hurried through Petersen's appearance. He testified that on Sunday afternoon, April 15, he briefed the President on the cracking of the Watergate case.

He informed the President that his two top aides, Haldeman and Ehrlichman, might be criminally prosecuted and that he should "get rid of them immediately" to avoid "vast embarrassment." It might be concluded that a criminal case against Haldeman, he told the President, "was in the offing" from testimony of three potential witnesses—Dean, campaign aide Jeb Magruder and possibly Haldeman aide Gordon Strachan.

The President was "calm," testified Petersen. He asked whether Dean, then supplying information to federal prosecutors, should also be fired. "My goodness, no," Petersen said he told the President. "... we don't want to give the impression that he is being subjected to reprisal because of his cooperation." The President did not protest.

But according to Haldeman's own testimony of July 31, after that warning from Petersen, Mr. Nixon asked Haldeman to listen to the tape of the surreptitiously recorded March 21 meeting between the President, Dean and, intermittently, Haldeman. It was in that conversation, both Dean and Haldeman testified, that Dean told Mr. Nixon there was "a cancer growing on the presidency." All signs point to Haldeman being given the tape April 15 or 16, just hours after Petersen's warning (although Haldeman testified he could not pinpoint the exact time).

Thus, instead of following the advice of his criminal division chief that Haldeman be fired, Mr. Nixon en-



trusted to Haldeman material so secret its existence was unknown to the Justice Department. Although senior White House aides now explain that the President reviewed the tapes to check Dean's charges against him, in fact no such charges had been made in mid-April. Dean had not told the prosecutors anything to implicate Mr. Nixon.

On the morning of April 16, according to Dean's undisputed testimony, Mr. Nixon scorned Petersen's other recommendation by asking for Dean's written resignation. Dean testified that the President informed him he had no written resignations from Ehrlichman and Haldeman.

The benign explanation for this presidential behavior is given as follows by his present aides: His Sunday session was his first real meeting with Petersen, a career civil servant and a registered Democrat ("he didn't know me from Adam," Petersen testified). Petersen, appointed by Mr. Nixon, was surely loyal. But was he super-loyal? Given the fetishistic veneration of per-

sonal loyalty in the Nixon White House, even a Haldeman subject to federal prosecution was infinitely more trustworthy than the honest investigator trying to protect the presidency. The verdict: Abominable judgment by the President but scarcely an impeachable offense.

The malignant explanation is incomparably worse: The President and Haldeman were involved in some dark arrangement which made a mockery of Petersen's recommendations.

Benign or malignant? As he waited outside the Oval Office April 16, Dean testified, "Haldeman and Ehrlichman emerged laughing" but abruptly sobered when they saw him. What had they been saying to the President? What did the President say to Haldeman, April 15 or 16, when he asked him to review the March 21 tape?

The answer may lie in the White House tapes of those two days—tapes not even requested by Special Prosecutor Archibald Cox or the Ervin committee.