

The Nixon Watch

A Limited Confession

At the end of the sadly incomplete confession and plea for belief and understanding that Mr. Nixon issued on May 22, in his third attempt within five weeks to save himself and his presidency from the ruin that the Watergate scandals threaten, he gave an indication of the dilemma in which he is trapped and of the abiding fear of doubt and distrust in which he is fighting for survival. He did this when, after stating that the longer of two statements issued by his press was limited to his recollections of what he said and done, he added: "I have specified that, for an attempt to explain what other parties said and done, my own information on this matter is fragmentary, and to some extent confidential. Additional information may be forthcoming, of which I am unaware."

Mr. Nixon must be assumed to know a great deal about Watergate that he said he did not. One thing he knew was that he dared not make and defend his statements in person at a press conference and expose himself to the many questions that they would elicit. His press secretary said that he intends to have a news conference "in the very near future." But he chose on the 22nd, after much thought and private debate among the few assistants to whom he entrusted the preparation of the statements, to remain in seclusion when they were produced in the White House press room and to have two White House lawyers, Leonard Garment and J. Fred Buzhardt (pronounced buzzer), justify and explain the President's account for him as best they could. It was a poor best. The main reason it was had very little to do with the care for "national security" and for the rights of jeopardized individuals that the President asserted and that his lawyers adduced in a clamorous bout with reporters. To state the reason is to define the essence of Mr. Nixon's dilemma. It is that he and his lawyers are not sure that they know what some of the "other parties" to whom he referred are prepared and going to say under oath, in peril of perjury, when they testify in the courts and before Senator Ervin's investigating committee.

The fact that the President and his lawyers are not sure about this is a testament to the truly and indescribably horrible atmosphere behind the scenes at the Nixon White House in late May. The "other parties" in question include former Attorney General John N. Mitchell, former Commerce Secretary Maurice Stans, and former White House assistants H. R. Haldeman, John D. Ehrlichman, Charles Colson. One would suppose that such friends and devotees of the President would long since have come clean with him and with the several lawyers who are helping him prepare his own case and his own defense before the bar

of public opinion and, conceivably though as yet improbably, before the Senate in impeachment proceedings. One would suppose that the President by May 22 surely knew the worst that awaits him in the testimony of the five men just named and of the several others who once served him and will be saying that he has or hasn't told the truth. Haldeman and Ehrlichman continued to occupy White House offices and were at his call through the weekend preceding the statements. Charles Colson has been in and out of the Executive Office Building next door to the White House. Maurice Stans was seen in an EOB corridor on the afternoon of May 21, hours after he had been returned for trial in New York, drawn and tense and visibly suffering, walking toward the EOB office immediately used by Mr. Nixon. Garment, Buzhardt, and staff lawyers and the President himself have questioned all of those who may imperil the President and who have been willing to talk. Some of them have not been willing or, if willing, have left an impression that they were less than frank. For whatever reason, I have been told that despite these intensive inquiries since late March the President is not certain and feels that he cannot be certain that he knows the names and the assistants who have been exploring the Watergate ramifications with and for him do know what the full extent of the felonies, political espionage, illegal collection and misuse of campaign funds, and other abuses perpetrated in his behalf by people who thought they were doing what he wanted done is yet to be revealed. The May 22 statements were framed to allow for the artful and worst in the way of behavior that is yet to be and is expected to be disclosed. But, excepting the kind of precautionary and qualifying language quoted at the start of this report, the statements could not be framed to allow for possible testimony that, for all the President knows, may make him appear to be a multiple liar.

A measure of Mr. Nixon's desperation is the fact that he deliberately took this risk in both of the May 22 statements. In a brief summary statement, pointing up his longer and more detailed account of what he called "my own recollections of what I said and did," he denied that he did or condoned seven specific things. Each of these denials is subject to dispute and, with each of them, the President took the chance that no credible witness will dispute them and so open him to the charge and inevitably in the minds of many, the belief that he lied. In the course of pleading for belief, attaching the numbers that he attached to each of the seven denials, they follow as he stated them: "I had no prior knowledge of the Watergate operation. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer. I did not know, until the time of my own investigation, of any effort to provide the

Watergate defendants with funds. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter. It was not until the time of my own investigation that I learned of the breakin at the office of Mr. [Daniel] Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics." It is upon the validity of these denials, and upon the credibility of testimony likely to bring some if not all of them into question, that Mr. Nixon must stand or fall.

Mr. Nixon confessed to several things that he has previously denied or, stating the point in the gentlest possible way, previously concealed. He confessed that he instituted in 1969 a series of domestic surveillance procedures, varying from wiretapping to felonious physical intrusion upon property and privacy, that were put to illegal and improper political uses before and during his 1972 campaign for reelection. He confessed that he ordered senior White House assistants, his attorney general and the directors of various intelligence services to restrict investigation of the Watergate bugging and burglary that set off the sequence of disastrous disclosures last June. His excuse—the cen-

tral point of his defense—is that he demanded restriction but not a cover-up in order to protect intelligence procedures that he considers vital to national security. Whatever wrong was done in this cause, including the illegal dragging of the Central Intelligence Agency into domestic surveillance, he attributed to zealous officials who variously misunderstood him and his orders, concealed much of what they were doing from him, and continually reassured him that nobody in his White House establishment was doing or had done anything wrong. He got closest to genuine confession in the ordinary meaning of the word when he said: "With hindsight, it is apparent that I should have given more heed to the warning signals I received along the way about a Watergate coverup and less to the reassurances." The weakness of his account leaped from a betraying phrase in a reference to his 1972 campaign. "It is clear," he said, "that unethical as well as illegal activities took place in the course of that campaign. None of these took place with my specific knowledge or approval." A President who was as innocent of knowledge and involvement as Mr. Nixon claimed to be would not have had to have his lawyers and drafters write that none of it took place with his specific knowledge and approval.

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