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# A Theory on the Watergate Break-Ins

Everyone seems to have his own theory of how the two break-ins at Democratic National Headquarters at the Watergate on May 27 and June 17, 1972, were planned and carried out. Three key figures have now testified before the Ervin committee. Former Attorney General and campaign director John Mitchell, his campaign deputy Jeb Stuart Magruder and former White House Counsel John Dean III agreed that at meetings at the Justice Department on Jan. 27 and Feb. 4, 1972, Watergate conspirator G. Gordon Liddy presented plans for an "intelligence" program. "Intelligence," in this instance, was a euphemism for clandestine and perhaps illegal actions to be taken against Democratic opponents. Mitchell, Magruder and Dean also agreed that at the first meeting (Jan. 27), they were appalled by charts illustrating a \$1 million program to include electronic surveillance, kidnaping (of possible demonstration leaders to Mexico), prostitution (to blackmail and snoop on Democratic leaders at their Miami convention) and

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surreptitious entries (burglaries and photography of documents).

Mitchell and Magruder, however, disagree as to what happened at a Key Biscayne villa on March 30, 1972, when a narrower and cheaper version of the Liddy bugging and burglary plan (for \$250,000) was discussed. Mitchell said he rejected it; Magruder says he and Mitchell reluctantly approved it. Dean was not there. The only other man present, Mitchell aide Frederick LaRue, has testified this week that, to his knowledge, Mitchell delayed any decision but did not turn the plan down.

At this point I would like to offer my own theory. One way to look at the matter is to think of the meetings that began in January in terms of the federal government's two-step authorization and appropriation system: *authorization* permits a program to be planned; *appropriation* supplies the money.

With this distinction as a guide, consider the possibility that Liddy was in no way *proposing* a new plan on Jan. 27, but instead was *reporting* on a program he had already been authorized to undertake when he was hired in early December. The briefing with charts in late January and the follow-up the next week were intended to bring Mitchell, Magruder and Dean up to date and to justify continued financing. The real issue, therefore, was how much money to put into these programs, not whether they would be undertaken at all. In fact, at the time of the first presentation, some elements of the program were already in operation.

It is important to remember in considering this hypothesis that we are dealing with an administration in which, as long ago as July 1970, the President himself had approved burglary and wiretaps as acceptable actions in domestic security cases; such activities had apparently already been undertaken to stop news leaks, most recently by Liddy and his White House "plumber" colleagues. Why should there be any question that bugging and break-ins would be acceptable in a political campaign in which the Democrats were held to be as great an enemy as any newsman or peace demonstration leader?

Go back for a moment to Dec. 9, 1971. On that date Dean brought Liddy to the Committee for the Re-election of the President to meet Magruder, who was running the operation for Mitchell. Liddy was to be general counsel and, as discussed that day, also would be in charge of clandestine operations. The latter was not just a hobby with Liddy. He and his colleague, E. Howard Hunt Jr., since July 1971 had been the operations directors of the White House special investigative unit, "the plumbers," who apparently used burglary almost as readily as regular plumbers use wrenches.

Shortly after he went to work at the Nixon committee, Liddy told Magruder

he would be putting together his intelligence gathering program — as soon as he could determine the "needs." Dean and Mitchell have said they wanted Liddy to concentrate on information on demonstrators who were expected to turn up at the GOP convention then scheduled for San Diego. (That story seems to overlook the fact that the Nixon committee's security chief, James W. McCord Jr., was regularly receiving material on the same matter from Mitchell's old Justice Department Internal Security division.) Magruder hinted that White House special counsel Charles P. Colson wanted information about the Democratic candidates and particularly the party's national chairman, Lawrence F. O'Brien.

In early January, according to McCord, Liddy began talking to him about intelligence gathering and, particularly, the "state of the art" in electronics. By "late January," McCord testified, Liddy's planning was threefold — clandestine photography, electronic surveillance and political intelligence. For a presentation at the attorney general's office (probably the meeting on Jan. 27), Liddy wanted information from McCord on the cost and types of electronic equipment that would be needed for four targets — O'Brien's office at Democratic headquarters, O'Brien's home, the Democratic headquarters at the Miami convention and the headquarters of the Democratic presidential candidate.

In January, 1972, Liddy was talking to others along with McCord — men who began to implement other aspects of his plan. Liddy and Hunt flew to Miami in late January and talked with a former CIA buddy of Hunt's, Jack Bauman. The subject was a major intelligence gathering operation at the Democratic convention. Bauman turned them down. However, on Feb. 1, five days after both Dean and Mitchell supposedly rejected Liddy's initial plan, Hunt arranged for another former CIA colleague, Jack Stewart, to review the planned Miami operation. Stewart flew to Miami on Feb. 1. There Bernard Barker, later arrested and convicted in the Watergate burglary, went over folders with Stewart laying out what already was planned for the Miami convention. Hotel rooms had been reserved near those to be occupied by O'Brien, with access to the O'Brien suite promised, according to court testimony attributed to Stewart.

Three days later, Feb. 4, when Liddy appeared at the attorney general's office a second time, the plan was "rejected" again, according to testimony of Dean and Mitchell.

What happened thereafter? For one thing, Liddy and Hunt went on to recruit at least one and probably two young college students to work in Muskie headquarters and Democratic Party headquarters.

On Feb. 29, another event intervened which may have further delayed the project: Jack Anderson published his Dita Beard ITT memo. Both Hunt and Liddy, it has since been disclosed, began playing active roles in the subsequent ITT events, though Liddy at the time was supposed to be working on the campaign committee. Mitchell has testified he was told it was Liddy who "spirited" Mrs. Beard to Denver and seclusion in a hospital. Hunt later went to interview her in the famous "ill-fitting red wig."

Discussion of the bugging and burglary was apparently delayed until March 30. Magruder has testified that the ITT problem was the cause. But despite the delay, Liddy continued to take cash funds for his clandestine espionage programs. In fact, by early April he had already received \$125,000 before the Watergate bugging money came through.

When and how did Liddy get the final go ahead for the initial Watergate break-in on May 27? It's worth noting again there were two Watergate break-ins. Part of this hypothesis is that the first was specifically funded, the second—the disastrous one—was a follow-up and, perhaps, a surprise to everybody above the level of Liddy. Nixon spokesmen do not distinguish between

the two, always lumping them as *the* break-in and saying they had no prior knowledge of *it*.

The White House and others involved obviously welcome the question in that form, for disavowing foreknowledge of the June 17 break-in they can appear to be disavowing foreknowledge of the whole scheme to burglarize and bug Democratic Party headquarters.

This hypothesis would seem to fit some other testimony. Giving Mitchell the benefit of the doubt, let us assume that, as he says, he did not directly approve the Watergate project at the Key Biscayne meeting on March. Let us accept the possibility that he delayed or, better yet, that he was ambiguous because he wanted what Dean has described as "deniability"—a state which derives from never giving an explicit go-ahead to anything, so that approval can be denied at a later date. According to testimony, Magruder, on March 31, told his aide to call Liddy and say his project (un-named) was approved. The next week, Liddy went to Nixon campaign treasurer Hugh Sloan Jr., and, waving a newly "approved" \$250,000 budget, asked for a first installment of \$83,000. Sloan balked and asked his boss, Maurice Stans, what the money was for and if he should give it to Liddy. Stans said he would ask Mitchell.

Thus, the decision ducked by Mitchell in Key Biscayne may have come back to him in Washington. That would explain Mitchell's hesitancy to remember at the hearings what he said about that Liddy money. It would also explain Stans' version of Mitchell's response. According to Stans' account, Mitchell said that Magruder could authorize the expenditure. Sloan's testimony is more to the point: he said Stans returned from seeing Mitchell, saying "I don't want to know (what the money is for) and you don't want to know."

It was only after he got the cash that, on April 12, Liddy gave McCord \$56,000 and told him to go out and buy the bugging equipment. Therefore, under this hypothesis, final approval for the successful May 27 Watergate break-in—photography of documents and planting of telephone bugs—came via transfer of money not on March 30, but some time before April 12. Approval for the second break-in, the one on June 17, may never have been needed—since more money was not necessary. Magruder testified that Mitchell was disappointed with the results of the wiretaps—believing that it wasn't worth the money—and had bawled Liddy out. McCord said Liddy told him they were going back into Democratic headquarters to get more photographs of O'Brien's papers—because Mitchell had particularly liked earlier ones. (Unaccountably, in three days of testimony, no one asked Mitchell whether he had ever been shown photographs of Democratic documents.) McCord said he was to go on the second entry to check on the O'Brien phone tap—it didn't seem to be working, though O'Brien, himself, was out of town—and to plant another room microphone.

So, Liddy alone set the unsuccessful June 17 operation in motion as a follow-up to the earlier one—since, according to my hypothesis, the acceptability of burglary and bugging was never in question. The only thing that held up the project initially was how much money was going to be put into the operation.