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Mr. Nixon's Two-Sided Strategy

The President appears to have devised a two-sided strategy to deal with the dilemmas presented by the Watergate case. It is a strategy that conceivably can restore him to his place as the real head of the American government. It is also a strategy fraught with peril for him and the country.

After a period of total floundering following the dismissal of his principal lieutenants, John D. Ehrlichman and H. R. Haldeman, Mr. Nixon has now set up what amounts to two separate White House operations. One unit—under the leadership of Henry Kissinger, Melvin Laird, Bryce Harlow and Alexander Haig—is charged with continuing the international diplomatic ventures in progress and re-starting the largely roadblocked domestic programs and operations of the administration. The other unit—under the leadership of White House counsel Leonard Garment and special counsel J. Fred Buzhardt—is charged with providing a legal defense against accusations of conspiracy in the obstruction of justice for a man named Richard Nixon who happens to be President of the United States.

There is some communication between the in-house law firm of Garment and Buzhardt and the provisional government of Kissinger-Laird-Harlow and-Haig. But by and large, the two sets of functions and responsibilities are being kept separate, with each team dealing with the President only on matters within its own province.

If all goes well, the President's law firm will manage to deflate the witnesses against him and soften the impact of their testimony to the point that, once all the adverse evidence has been heard by the Senate committee, Mr. Nixon will be allowed to appear in a public forum to answer questions about his role in the case.

If all goes well, by then the White House operations team will have pushed a number of diplomatic, legislative and administrative initiatives to the point where they are ripe for direct action by a restored President.

If all goes well, Richard Nixon will be cleared of complicity in the Watergate crimes and will be able to resume his place as the operative head of a functioning administration sometime this fall—in sufficient time to take command of the "Year of Europe" talks, the trade bill and other legislative battles, and the preparation of next year's budget and domestic program.

But that is a huge "if." For what this two-sided strategy ignores is the reality that Richard Nixon, client, and Richard Nixon, President, are one and the same person. And the tactics that serve his interests as client may very well interfere with his functioning as President.

That was demonstrated by the flap over the Buzhardt memo to the Senate investigating committee during the week of John Dean's testimony—a legal tactic aimed at an adverse witness, which had to be repudiated by the White House when it was misunderstood as a policy statement by a functioning President.

Despite that damaging incident, Mr. Nixon is continuing to act as his lawyers advise, not as the duties of his office require. The lawyers want him to say as little as possible, stay as remote as possible and allow them to develop the brief for his defense as the accusations unfold.

Heeding this advice, Mr. Nixon has been as close to invisible as possible in recent weeks. He kept his date with Leonid Brezhnev because cancellation of the visit would have been a political and diplomatic catastrophe. He made one poorly-received television talk on the economy and intervened personally once to help negotiate the congressional compromise on the Cambodian bombing. For the rest, he has been as silent as his lawyers could wish.

But his studied aloofness inevitably impairs the efforts of his operative agents to manage the government, for their leverage is no greater than the backing they can demonstrate from the President. His continued silence denies them the one tool that is absolutely essential for success—public confidence in the President. That confidence and support cannot be regained until the President speaks out, answers questions and provides explanations that dispel the fog of doubt and suspicion the Watergate case has created. But that is exactly what the White House law firm will not allow client Nixon to do. To relent would be for them to abandon their responsibility as defense attorneys.

The conflict may be postponed—but only briefly. Within a few weeks, Mr. Nixon must announce his Phase IV economic plan. If it is greeted as skeptically as the current freeze, the fat will be in the fire.

By fall, the President could confront both an economic and political crisis of confidence—and a demand from his fellow-Republicans, fresh from a month's recess with their constituents, that he separate the problems of his legal defense from the work of governmental leadership. In short, that he resign.

That cannot be predicted now; but that risk is inherent in the two-sided strategy Mr. Nixon has adopted.