

Withholding the Tapes: Mr. Nixon's Last Card?

President Nixon's refusal to give his tape recordings to anybody, an absolute victory for White House hardliners, constitutes a desperate gamble: to win back the American people by thumbing his nose at Republican politicians, Congress and his own special prosecutor.

The stunning finality of Mr. Nixon's refusal to supply evidence undercuts his last significant Republican support in Congress. But their defection was fully discounted by triumphant hardliners on the White House staff. "Thank God," one such staffer told us. "The President has finally asserted himself, and the people will follow him."

That means the White House has returned full cycle to the atmosphere that originally contributed to Watergate. Rebuffed by Congress, the President early in his administration felt forced to operate on his own—an autonomy tragically perverted by the multiple Watergate horrors. Once the scandal broke, a shaken Mr. Nixon moved toward greater cooperation with Congress and Republican politicians. But Monday's refusal of the tapes means the President has reverted to seeking public approbation by exuding toughness.

The reversion has been vigorously promoted by young middle-level presidential aides, who abhorred Mr. Nixon's concessions the last three months—particularly, bowing to bipartisan pressure for a special prosecutor. They have contended Mr. Nixon's rapid decline in the polls was caused by such concessions and that the American people will support him only when he exhibits strength.

These contentions were gradually accepted by Gen. Alexander Haig, the President's new chief of staff who became convinced weeks ago that the Watergate crisis was produced by a coalition—if not a conspiracy—of politicians and journalists intent on Mr. Nixon's ruin. That, in turn, matched the attitude habitually taken by Mr. Nixon in time of crisis.

The decision is final, not debatable and not subject to appeal by softer-line advisers. "We have to accept it as it is," one gloomy senior White House staffer told us. Such critics can only hope for re-emergence of Mr. Nixon's natural voter constituency despite still more defections among what Nixon aides call "the sophisticates."

But that disaffection includes congressional Republicans—including some House party leaders—who until now had steadfastly defended the President. While expecting Mr. Nixon

would deny the tapes to Sen. Sam Ervin's Watergate committee, these Republicans assumed selected tapes would be supplied under tight limitations to special prosecutor Archibald Cox. They were stunned by the President's blanket denial, fearing the country will decide he has much to hide.

Similarly, Cox expected long negotiation over the tapes, assuming incorrectly the White House wanted to avoid a confrontation at all costs.

What both Cox and congressional Republicans failed to realize was the total reversion to defiance of the political establishment in search of mass support. Thus, presidential aides now deride Cox as a Harvard professor without a constituency. What has happened is typically reflected in the transformation of Tennessee Sen. Howard Baker's role as the Ervin committee's senior Republican.

Baker, conservative and Nixonite, began as a cautious defender of Mr. Nixon's position—helping the White House by opposing, though unsuccessfully, limited immunity for deposed presidential counsel John W. Dean III. But White House aides began complaining that Baker did not fight hard enough against Dean's immunity and was altogether too chummy with Chairman Ervin.

Rumors of presidential disapproval were bluntly confirmed to Baker two weeks ago. While Baker stood at his elbow, Ervin telephoned the President to ask for a meeting between all three of them. Mr. Nixon replied he would see Ervin (an agreement reneged on Monday) but not Baker. Since then, Baker has been appalled by deepening presidential intransigence. Although Democrat Ervin says he will not go to court to seek the tapes, Republican Baker might well urge that course on the committee.

The hard-line taken by the President offends his champions. Harsh attacks on Baker leaked out of the White House irritating his fellow conservatives on Capitol Hill. Sen. Edward Gurney of Florida, until now the staunchest Nixonite on the Ervin committee, is upset over denial of the tapes.

Having thus alienated even his own political supporters, President Nixon gambles that American public opinion will regard his refusal as a defiant exercise of courage rather than a shrouded admission of guilt. But Mr. Nixon's hard-line Monday virtually cut off any escape by other routes. If the gamble for public support fails, even his own aides admit, the President may have played his last card.