

As a lawyer, I must confess astonishment at the comparative ease with which Mr. Haldeman and his lawyer, especially the latter, were able to avoid complicity in what was obviously a plan to permit Haldeman to testify as to the President's version of tapes he has refused to supply to the committee.

Consider:

(1) Haldeman's original statement volunteers the information that he had read a tape of the crucial portion of the March 21, 1973 meeting between the President and Dean in which he (Haldeman) had not participated; (2) he came armed with a White House letter telling him that the President, in the exercise of his "executive privilege" was instructing him not to reveal his version of the tape; (3) he volunteered that if directed to do so by the committee he would reveal his version, in direct violation of the instruction of the President; (4) and he also came armed with the testimony he was prepared to give on this subject if, as he at one point put it, the committee "overruled" the President.

When asked later by Mr. Dash to explain this apparent anomaly he said he was acting on advice of counsel and Mr. Wilson with typical bombast though little validity, announced he had advised him to testify lest he go to jail for contempt if he refused! Preposterous!

Had Wilson not wanted his client to testify all he had to do was to advise him not to, pointing out that with all respect his client was caught between an order of his chief on the one hand and of the committee on the other, and that the very resolution of this question was by tacit agreement being submitted to the courts.

Who could conceivably have thought that such a position would have been challenged at all by the committee, much less resulted in Haldeman being threatened with contempt?

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I seem to have a totally different opinion than William S. White with regard to what President Nixon should do with his tapes ("Keeping the Tapes," July 28). If there is a very "heart of the American constitutional system," I believe it is found in the sentence which says, "We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this

Constitution for the United States of America."

There is reason to believe that felonious crimes may have been committed by people in the very highest offices in the land. There is information that will very definitely help establish justice. The President needs to release it, not to the nation, but to a select Senate committee.

Our constitutional system works because of the system of "checks and balances," and not separation of powers or something called "executive privilege." We are not trying to set a precedent of seeing the President's personal papers, although his aides certainly seem to like other people's personal papers. We are trying to find out if the President committed a crime, because the President has no more right than anyone else to break the law. If we can't hold on to our principles of liberty and justice for all, we don't need a Constitution.

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