

William Raspberry

The President and the Tapes

Two predictions:

1. President Nixon will relinquish the tapes being sought by the Watergate investigators.
2. It won't make the slightest difference.

He almost said as much at his Wednesday news conference when he was asked to confront the George Will Dilemma.

Will is the Washington editor of the National Review who, last month, examined the President's options on what to do about releasing the tapes. If he loses in the courts, Will reasoned, and particularly if the Supreme Court rules against him, he'll have to release the tapes.

Then the dilemma's other horn: "If he wins in court, and lays to rest the idea that he can be compelled, then he must release the tapes voluntarily. Otherwise, it will be clear that he is protecting himself, not the office."

When he was asked Wednesday whether he would voluntarily release the tapes if the courts upheld his view of confidentiality and separation of powers, Mr. Nixon said that it would be inappropriate for him to answer the question now but invited the reporter to ask him again a little later.

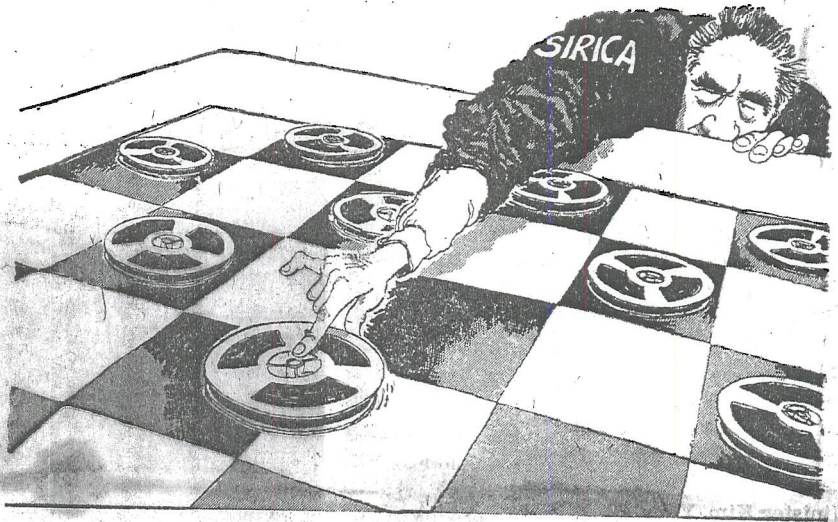
I doubt that it will be necessary to repeat the question. For if the President's theoretical position is sustained by the Supreme Court, there is no way he will pass up the opportunity to play statesman and do voluntarily what his enemies couldn't force him to do.

That, of course, presumes the truth of something else the President said the other day: that "there is nothing whatever in the tapes that is inconsistent with his account of conversations concerning Watergate."

I believe him for a number of reasons, one of which is that he has had time to have the tapes "neutered," but the most persuasive being that he knew at all times that he was being taped. And while it may be that he elicited some damning statements from some of his subordinates, or perhaps even gave some veiled hints about what he wanted them to do, it is insane to suppose that he deliberately went on record as a participant in a criminal conspiracy to obstruct justice.

The tapes, then, can be expected to be uselessly inconclusive so far as Watergate is concerned.

So why has the President made such a fuss about protecting the recordings? There are at least three possibilities, none of them mutually exclusive, maybe all three accurate to some degree.



By MacNelly in the Richmond News Leader

First, there is the reason that he gives: the protection of confidentiality and the sanctity of the separation of powers. To say that this argument happens to serve the President's immediate selfish purposes is not to say that he doesn't believe it.

Second, there is the reason offered by so many commentators and newsmen: that the tapes contain such frank, offensive language about so many important people that the President doesn't dare release them, even if they are totally innocent of adverse implications on Watergate. That's probably true to some limited degree, with the caveat that Mr. Nixon did know the tapes were being made.

Third, there is the reason nobody is mentioning: that Richard Nixon may be having a little fun, baiting the opposition, focusing their attack on a position he had no interest in maintaining anyway.

Considering how much grief Watergate has meant for his administration, it may be hard to believe that Mr. Nixon would fool around having fun. But this isn't ha-ha fun—it's the fun that comes from knowing that you've planted a time bomb that will both vindicate you (to some extent at least) and make your dedicated enemies appear ridiculous.

The groundwork already has been laid for both the vindication (so far as the tapes are concerned) and the ridicule. The more he tried to throw the armor of constitutionality and confidentiality and executive privilege around the tapes, the more the investigators and the political opposition declared the tapes crucial.

The issue is in the courts now, with Judge Sirica having offered a compromise that most Americans will accept as fair and reasonable, and the hounds think they've finally got the old possum treed.

My guess is that they're in the wrong storybook and that they have just about thrown old Brer Rabbit into the briar patch.

He'll release the tapes (or perhaps hand them over to Judge Sirica); the tapes will fail to confirm our darker suspicions, and a lot of us will forget that there was basis for those suspicions long before we knew the tapes existed.