

# Close-Up View of Nixon Under

NYT  
8-9-74

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Special to The New York Times

WASHINGTON, Aug. 8—A lot of things damaged Richard Nixon's standing, but it was the tapes that delivered the mortal blows to his Presidency and that finally drove him from office in disgrace.

The very existence of the secret system designed to record the President's conversations, made known in Senate testimony in July, 1973, raised widespread doubts about Mr. Nixon's judgment.

It also led to one wrenching confrontation after another, from the abrupt dismissal of the Watergate special prosecutor, Archibald Cox, in October to the Supreme Court order forcing disclosure of key recordings in July.

Mysterious gaps kept turning up, including the celebrated 18½ minute erasure that experts attributed to human hands. Suspensions were heightened by extensive White House censorship of transcripts.

The substantive disclosures—transcripts of the President's own words and those of his closest associates—grew progressively more damning and finally amounted, in most eyes, to a confession of obstructing justice.

On April 30, after an introductory speech on television on the previous evening, Mr. Nixon published the first and most extensive collection, heavily edited transcripts covering 32 hours and 34 minutes of talk about Watergate.

This step, a year to the day after the departures of his two closest aides, H. R. Haldeman and John D. Ehrlichman, left the President some room for maneuver. But the transcripts, over all, greatly disturbed even his followers.

They raised questions among many readers—the documents

were published in newspapers across the country and were brought out in popular paperback book form—about the President's innocence of criminal conduct.

Nearly as damaging, they were filled with ambiguities, dangling remarks, and suggestive observations, all pregnant with the implication that something was wrong but all resolutely ignored by Mr. Nixon.

And, aside from the debate over the legal significance of various passages, almost everyone seemed disgusted with the picture they got of Mr. Nixon's character, even those willing to continue defending him legally. Senator Hugh Scott of Pennsylvania, the Senate Republican leader, called the tapes "deplorable" and "shabby."

## An Image Created

What they did was create the image of a President who was not only foul-mouthed ("expletive deleted" instantly joined the list of Watergate-coined phrases) but also mean-spirited, cynical, insensitive, manipulative, and indecisive.

On July 9, the House Judiciary Committee, nearing the end of its long impeachment investigation, made public the transcripts of eight Presidential conversations based on its own playing of the recordings.

There were marked differences in comparison with the White House version. The evidence of Presidential involvement in the cover-up and in the payment of hush money was still stronger.

"I want you all to stonewall it," the President told his associates on March 22, 1973, "Let them plead the Fifth Amendment, cover-up or anything else, if it'll save it—save the [cover-up] plan."

Such passages were not universally regarded as conclusive proof of Presidential wrongdoing; Mr. Nixon's defenders cited a following sentence, in which he said he would prefer another way.

The final blow fell on Aug. 5. It drove away all but the President's most devoted supporters and caused Mr. Nixon himself to concede that impeachment by the House would be "virtually a foregone conclusion."

The President, who had lost a unanimous Supreme Court decision on the tapes 12 days earlier, issued transcripts of three talks he had held with Mr. Haldeman on June 23, 1973, six days after the Watergate arrests.

They showed Mr. Nixon for political reasons, trying to limit the Federal Bureau of Investigation inquiry. Also, they showed the President had been told his campaign director, John N. Mitchell, had pressed for the burglary.

Altogether, the tapes contained evidence to support the President's repeated assertions that he had no prior knowledge of the plot to tape the opposition's telephones. On Feb. 28, according to the White House version, he said:

"(Expletive deleted.) Of course, I am not dumb and I will never forget when I heard about this (adjective deleted) forced entry and bugging. I thought, what in the hell is this? What is the matter with these people? Are they crazy? I thought they were nuts! A prank! But it wasn't! It wasn't very funny. . . . They [the Democrats] don't think I would be involved in such stuff. They think I have people capable of it."

Once, during a conversation with Mr. Dean on March 13, the President appeared to dimly recall some snippet of talk. He articulated it badly, but it finally seemed to elude him. The exchange was as follows:

Nixon. If they ever got any information (from the wire-

taps) they would certainly have told me that we got some information, but they never had a god damn (laughs) thing to report. What was the matter? Did they never get anything out of the damn thing?

Dean. No, I don't think they ever got anything.

Nixon. It was a dry hole, huh?

Dean. That's right. . . .

Nixon. Yeah. Yeah. But, uh, Bob one time said something about the fact we got some information about this or that or the other, but, I, I think it was about the convention, what they were planning, I said (unintelligible).

When it came to the cover up, the transcripts appeared damaging to Mr. Nixon, especially the celebrated meeting with Mr. Dean on March 21 on payments for the conspirators.

Several hundred thousand dollars in campaign funds had already been paid to the Watergate defendants, and one of them, E. Howard Hunt Jr., was demanding an additional \$122,000. The problem came up again and again:

NIXON. How much money do you need?

Dean. I would say these people are going to cost, uh, a million dollars over the next, uh, two years.

Nixon. We could get that.

Dean. Uh huh.

Nixon. You, on the money, if you need the money, I mean, uh, you could get the money. Let's say—

Dean. Well, I think that we're going—

Nixon. What I meant is, you could, you could get a million dollars. And you could get it in cash. I know where it could be gotten.

Dean. Uh, huh.

Nixon. I mean it's not easy, but it could be done. But, uh, the question is who the hell would handle it?

# Pressure Emerges From the Transcripts

Dean. That's right. Uh—

Nixon. Any ideas on that?

Dean. Well, I would think that would be something that Mitchell ought to be charged with.

Nixon. I would think so too.

The payments question came up at several other points, the President terming them "worthwhile" at one juncture and telling Mr. Dean "we have to keep the cap on the bottle" at another.

Contrary to earlier statements by Mr. Nixon and Mr. Haldeman (the latter's under oath), Mr. Nixon did not wind up his talk of raising a million dollars with the declaration that it would be wrong to do so.

The remark did appear in the transcript of the March 21 meeting, but it dealt not with the hush money issue but with grants of executive clemency to the seven men who were to be sentenced two days later.

## Discussion of Clemency

On this matter the President seemed on much stronger ground. It was clear that he rejected the idea of freeing the conspirators, on political more than on ethical grounds. The March 21 meeting included this exchange with the White House counsel:

DEAN. I am not sure that you will ever be able to deliver the clemency. It may be just too hot.

NIXON. You can't do it politically until after the '74 elections, that's for sure. Your point is that even then you couldn't do it.

DEAN. That's right. It may further involve you in a way you should not be involved in this.

NIXON. No—it is wrong that's for sure.

The tape transcripts more generally showed Mr. Nixon anxious to avoid knowledge and slow to act when he got it.

There had been earlier occa-

sions when it appeared that the President had purposely ignored warnings that all was not well. The tapes supplied numerous additional instances.

"So there are dangers, Mr. President," Mr. Dean said on March 13. "I would be less than candid if I didn't tell you there are. There is a reason for not everyone going up and testifying."

"I see," Mr. Nixon replied. He did not follow up then or when his counsel said, moments later, that while no one in the White House had known of the bugging in advance, some "saw the fruits of it."

## A Note of Exasperation

It seemed never to have occurred to Mr. Nixon, as he piled up more and more information during his March sessions with Mr. Dean, that inaction was improper and perhaps even criminal. Near the end of a long meeting on April 14 a note of exasperation appeared in the voice of Mr. Ehrlichman.

"Here's your situation," the President's chief domestic adviser said. "Look again at the big picture. You are now possessed of a body of fact." (He did not add that Mr. Nixon had been possessed of that body of fact for at least three weeks and possibly four.)

"That's right," the President said.

"And you've got to—you can't just sit there," Mr. Ehrlichman continued.

"That's right," the President repeated.

"You've got to act on it," the adviser urged. "You've got to make some decisions."

Mr. Nixon appeared to have caught a glimmer of the difficulty when Mr. Ehrlichman outlined, earlier in the meeting, some details of the cover-up:

EHRlichman. And I said to myself, 'My God. You know, I'm a United States

citizen. I'm standing here listening to this. What is my duty?"

NIXON. Well, the point is you've now told me. That's the problem.

EHRlichman. That's correct. That's correct.

NIXON. See the difference is that the problem of my position up to this time has been quite frankly, nobody ever told me a damn bit of this, that Mitchell was guilty.

It was unclear whether the President was trying to convince his advisers or himself. In fact, Mr. Dean had given him the general picture and specifically had implicated during the previous month.

## Political Use of Agencies

The transcripts dealt principally with the break-in and cover-up, offering little new information on many of the collateral issues that had arisen. Among the exceptions was a series of references to the political use of Federal Agencies.

During a March 13 discussion with Mr. Dean about a campaign against political opponents, the President asked his counsel whether he needed "any I.R.S. stuff." The question implied that tax returns from the Internal Revenue Service were available.

Also, in Sept. 15, there was this chilling Presidential monologue:

"I want the most comprehensive notes on all those who tried to do us in. They didn't have to do it. If we had had a very close election and they were playing the other side I would understand this. No—they were doing this quite deliberately and they are asking for it and they are going to get it. We have not used the power in this first four years, as you know. We have never used it. We have not used the bureau and we have not used the Justice Department, but things are going to change

now. And they are either going to do it right or go."

One of the most intriguing disclosures from the tapes was that Mr. Nixon never appeared to take Watergate very seriously.

## 'We've Got to Beat It'

"You know, when they talk about a 35-year sentence," he remarked on Feb. 28, "here is something to think about. There were no weapons! Right? There were no injuries! Right? There was no success!"

On March 13, Mr. Nixon dismissed Watergate as follows:

"... I tell you this, it is the last gasp of our hardest opponents. They've just got to have something to squeal about it. . . . They are going to lie around and squeal. They are having a hard time now. They got the hell kicked out of them in the election. There is not a Watergate around in this town, not so much our opponents, even the media, but the basic thing is the establishment. The establishment is dying, and so they've got to show that despite the successes we have had in foreign policy and in the election, they've got to show it is just wrong just because of this. They are trying to use this as the whole thing."

Near the end of the transcripts, as a meeting on the night of April 19 breaks up, the President still cannot believe that Watergate amounts to much. He knows his closest friends and advisers risk indictment, but he verbally shrugs:

"Well, we'll survive this. You know—people say this destroys the Administration and the rest—but what was this? What was Watergate? A little bugging! I mean a terrible thing—it shouldn't have been done—shouldn't have been covered up. And people shouldn't have and the rest. But we've got to beat it. Right?"