

Books of The Times

High Noon at Watergate

By HERBERT MITGANG

U.S. v. Richard M. Nixon: The Final Crisis By Frank Mankiewicz. 276 pages. Appendixes. New York: Quadrangle/The New York Times Book Company. \$8.95.

The opening page of House of Representatives Document No. 93-339 reads, "Impeachment of Richard M. Nixon, President of the United States," but the most important trial in the history of the Republic never happened. Even when resigning, Mr. Nixon found it necessary to conceal the reason for doing so. Stonewalling in Macy's window, he told the TV public in vivid color that he no longer had a strong enough political base in Congress. In fact, he had just been warned by the most conservative Republican Senators that the votes were overwhelmingly against him for impeachment and he could never survive in the White House.

The final report of the House Committee on the Judiciary is a juicy document; it almost belies the fact that anyone who can express himself in short Anglo-Saxonisms can't be all bad. As a tool for researchers, it has a cast of hundreds, beginning with "Agnew, Spiro T.," who can't seem to hold a job, to "Ziegler, Ronald L.," who prepped for the job as Mr. Nixon's spokesman by working at Disneyland. In between are the riches of the Rodino committee's report in some 700 pages, giving the evidence for impeachment.

Since most readers won't be able to digest the full report, in the form of a reasoned legal document, it is useful to turn to the first round of books about last year's drama. We'd better. Some little men with golf sticks are saying that Mr. Nixon should become a Senator or Republican "elder statesman" or Ambassador to China. Reading the record as presented in "U.S. v. Richard M. Nixon: The Final Crisis," it is doubtful if the author would recommend the former President even for the job of consul in exile on Quemoy.

Some Witty Observations

Frank Mankiewicz, who served as Senator Robert F. Kennedy's press secretary and political manager of Senator George McGovern's Presidential campaign, wrote about the decline in "Perfectly Clear: Nixon From Whittier to Watergate." Now he takes on the fall in "U.S. v. Richard M. Nixon: The Final Crisis." Since he is an undisguised partisan observer, you can put your chips on Mr. Mankiewicz for this particular story because he comes clean: he never worked in the Nixon White House as a flack, ghost writer or felon, is not contrite, and has not lately found God.

But he is witty about the former President's camp followers. Of the former special counsel, Charles W. Colson, who got religion after being indicted, Mr. Mankiewicz notes, "Colson's brand of Christianity, however, does not forbid a certain amount of plea bargaining." Former Attorney General Richard G. Kleindienst admitted that he had lied to the Judiciary Committee when he said he had not been reached by Mr. Nixon himself to cool the I.T.T. case. Mr. Mankiewicz wryly says "Judge George Hart of the District Court

treated Kleindienst as if he had done the Republic a favor by appearing for his sentencing." When Mr. Kleindienst received a suspended 30-day sentence and an insignificant \$100 fine, "some observers were surprised that Judge Hart did not volunteer to raise a gold purse for the defendant."

Mr. Mankiewicz devotes too much space to the role of the press in the impeachment proceedings. As a former Washington crony and columnist, he is clever on the arrogance of the name columnists who write about their own and each other's cemented omnipotence. Liberal or conservative, nearly all were breveted guard-house lawyers who interpreted the Constitution not through the Federalist Papers but according to their previous column positions. The author is amused and amusing as he watches such self-appointed minority counsel as Joseph Alsop, Rowland Evans and Robert Novak trying to get off the hook set by their White House sources.

Chun's of News Reports

The main chapters in the book are devoted to the personalities in the prosecution, the defense and on the Rodino committee. The wagons are drawn up in a circle around the shrinking Chief Executive; on Capitol Hill the smoking guns prepare for the walkdown at high noon. There are preliminary skirmishes—still fresh in the minds of news readers and watchers and therefore giving the book a sense of déjà vu—that prepare us for the main event: Operation Candor, the Saturday Night Massacre, the famous 18½-minute tape gap, the I.T.T. white paper, the dairy lobby white paper, etc. And all the while, the White House "team" asked the question—to which the author soundly devotes a chapter—that characterized the façade thinking of the Nixon Administration: "Will it play in Peoria?"

The narrative in "U.S. v. Richard M. Nixon: The Final Crisis" is flawed in parts by the inclusion of chunks of news reports and clipped columns and media attitudes. Scissors are not the sharpest of writing instruments. The helpful appendixes in the book—providing the list of court actions by the Watergate special prosecutor, the Attorney General's guidelines for the special prosecutor, and the Articles of Impeachment—are far more important than the ephemeral drivel here about whether or not a TV commentator was in White House favor or which predictable columnist straddled the impeachment question.

A lawyer before going fairly straight as a journalist, Mr. Mankiewicz astutely brings his legal knowledge to bear in the book. He is on the mark in the broad aim of "U.S. v. Richard M. Nixon: The Final Crisis" when he concludes that those who looked upon Watergate simply as "a political event—even as a political crisis—were proved to be wrong, and those who saw it as a legal proceeding, were proved to be right," and that the Judiciary Committee achieved for the country "a measure of peace with honor."