

Charles McCabe Himself

Nixon Tapes 'Mystery'

THE RECENT U.S. Court of Appeals decision that the Nixon tapes used as evidence in the Watergate cover-up trial can be copied, sold, or broadcast, must have come as one severe blow to the man who made the tapes. Those tapes were revenue, man.

Heavy students of the Watergate episode and the downfall of Nixon furrow their brows and ask the great "enigmatic" question: Why did Nixon not burn the tapes, and save his skin? Answers range from neurosis to a genuine concern on Nixon's part to bequeath a record of his administration to history.

All baloney, I have always thought. The tapes were installed, in my opinion, as Nixon's get-away money. When he left the White House, he could cash in on his presidency in a number of ways. Presidents since Eisenhower had discovered what financial miracles could be accomplished by books about themselves and their term in office.

Taxes could be spread over seven years under the so-called "Eisenhower Rule" which the IRS enunciated after Ike put out his book. Legally, a retired President could do just about anything financially to exploit his years in office, including putting out Nixon sweatshirts or endorsing Nixon toothpaste.



BUT IT TOOK His Nibs to think up the idea of taping his whole administration and then, after judicious editing, selling it for a ruddy fortune. Not for naught was our hero known as "Tricky Dick" in his earlier days. The whole taping project, naturally, was to be paid for by the taxpayer, to take care of Tricky when he becomes a valetudinarian.

My opinion has been discounted by many people I've offered it to, including people who don't like Nixon, because it is well known that I consider the man a congenital liar and a petty thief.

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ALONG COMES Leon Jaworski, no curmudgeon of a columnist, but a Texas lawyer, Watergate prosecutor, and peer of Brother Nixon. He writes a book "The Right and the Power." He is mighty rough on Nixon. He speaks of a taped conversation between Nixon and his hatchet, Chuck Colson, as "like two cheap wardheelers talking in the rear room of a neighborhood dive."

Jaworski's explanation for Nixon's failure to destroy the tapes: "He hoped to realize a fortune from them."

The prosecutor tells of being offered a seat on the Supreme Court as a bribe, and virtually spells out Nixon's responsibility for tampering with the tapes.

There is no doubt at all that the tapes are worth a fortune. Nixon has fought like a dog to get custody of them. At least \$200,000 has already gone to fight the 1974 Congressional statute that gave the government custody of Nixon's papers and tape recordings.

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THE APPEALS COURT decision touched on only 30 tapes, of which 28 were Nixon White House recordings. Still in the White House vaults are 920 recordings. As the court noted, it "seems likely" that these tapes will eventually become public anyway in the public interest because "they relate to the presidency." The court, in its narrower decision, based itself largely on the ancient common law right to inspect and copy public records, "a right fundamental to a democratic state."

Chief Judge David Bazelon quoted James Madison in his decision: "A popular government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy: or perhaps both . . . A people must mean to be their own governors, must arm themselves with the power which knowledge gives."

Nixon could have burned the tapes, and could conceivably still be our peerless leader. But there was always that "fortune." Greed sometimes dulls the perceptions mightily.