

A RHETORICAL ANALYSIS OF  
JOHN EHRLICHMAN'S WATERGATE TESTIMONY

by

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## PREFACE

At about 2 a.m. on June 17, 1972, three Washington, D. C. police officers, in response to a call from night guard Frank Wills, entered the Watergate Building, and in the office used as headquarters by the Democratic National Committee, arrested five "burglars." This simple act of law enforcement was the beginning of what has become the most extensive investigation and perhaps the greatest potential scandal and crisis in American political history. The outcome of "The Watergate Affair" is not yet completely known. But no one can reasonably doubt that its effects will be far-reaching.

There have been a total of thirty-six persons accused of crimes related to the Watergate burglary, or to other investigations arising out of that situation. More importantly, twenty-six of those indicted and/or convicted or acquitted have been either appointed officials in the Nixon Administration or employees of the Committee to Re-Elect the President, and among the accused are men who were top aides in the President's personal staff at the White House, as well as a former Attorney General of the United States.

The investigation of these crimes and allegations has taken twenty-five months, as of this writing, and it is still incomplete. During this time, the search for facts has involved three grand juries; two special prosecutors appointed by the President; investigators of the media; appellate courts and the Supreme Court; and a special Select Committee of the Senate. Just now in final deliberation is the hearing of the House Judiciary Committee on whether to recommend that the House impeach President Richard M. Nixon.

What all of this involves is a vast amount of talk, a monumental persuasive and counterpersuasive effort, and this aspect of the Watergate Affair becomes of special interest to the rhetorician. In the countless numbers of words which have been used by the participants in these investigations and their counsels is a rich specimen field for the analysis of persuasion. A part of that analysis is the purpose of this report.

The framework for understanding the analysis lies in a knowledge of the events out of which the persuasive attempts have arisen. This could not be fully explored in the report, since the background of events is so complex, but to aid the reader a chronology is included as Appendix A. But to carry this idea a bit further, it should be said that it is not really mere words and argumentative techniques that should concern the rhetorical analyst, but how they are used as tools in building or breaking society. Herbert A. Wichelns has written:

Rhetorical criticism lies at the boundary of politics . . . Its atmosphere is that of the public life, its tools are those of literature, its concern is with the ideas of the people as influenced by their leaders. The effective wielder of public discourse, like the military man, belongs to social and political history because he is one of its makers.\*

D. W. B., July, 1974

\*Herbert A. Wichelns, "The Literary Criticism of Oratory," from Studies in Rhetoric and Public Speaking in Honor of James Albert Winans (The Century Co., 1925).

## INTRODUCTION

On the surface of things, the Senate hearings into "Watergate and Related Activities" fall within the category of rhetoric which Aristotle referred to as "political." The committee was to consider the matter and to propose legislation dealing mainly with the future. But in reality, the hearings had a strong undercurrent of, and often rather openly became "forensic"--the rhetoric of legal prosecution and defense, dealing with events of the past: "Forensic speaking either attacks or defends somebody: one or the other of these two things must always be done by the parties in a case."<sup>1</sup> In these hearings, we certainly see the interplay of attack and defense, even though the committee did not have any judgment to make or sentence to pass, in a legal sense. The committee had the task of reporting the results of its investigations at the end of February, 1974, and as Senator Sam Ervin, committee chairman, noted in his opening statement, "that report will reflect the considered judgment of the committee on whatever new legislation is needed to safeguard the electoral process through which the President of the United States is chosen."<sup>2</sup> (Because of the gradual unfolding of facts and allegations in the case, this deadline was not met, and the committee functioned until July 13, 1974).

Charged with reporting out recommendations for legislation, the committee hearings nonetheless did more in the quest which Ervin, a Democrat, described as being to "uncover all the relevant facts surrounding these matters, and to spare no one, whatever his station in life may be, in our efforts to accomplish that goal."<sup>3</sup> That this threat to persons named or unnamed was inherent in the