

Lies, Damn Lies and Dramatizations II

[This was written in February of 2009 and originally appeared on Andrew Breitbart's website, BigHollywood.com]

My earlier essay on intentional inaccuracies in the *Frost/Nixon* movie bemoaned the fact that this sort of quasi-documentary has such dramatic impact—because people actually “see” the invented wrongdoing—that it outweighs any writings constrained by actual fact.

Perhaps the best example of this comes from the 1976 movie, “All the President’s Men,” produced by Robert Redford and starring Redford and Dustin Hoffman as cub Washington Post reporters Bob Woodward and Carl Bernstein.

The movie was a dramatization of Woodward and Bernstein’s 1974 book by the same name that chronicled the investigative reporting that led to the resignations of Bob Haldeman and John Ehrlichman. The book was a best-seller in its own right—especially after their editor suggested the early drafts needed something more catchy and they hit upon the idea of naming Woodward’s secret source of government information after the recent pornographic movie, “Deep Throat.”

There was, however, one very substantive difference between the book and the movie—that has been lost on almost everyone: While their book scrupulously avoided giving any hint of Deep Throat’s specific government employer, the movie version made it all too clear that Deep Throat was a member of Nixon’s White House staff—a whistle blower, if you will, so disgusted with the wrongdoing going on within the Nixon White House that he risked everything to pass along damaging information in the hopes that its publication would lead to the criminals being brought to justice.

The movie makes this point several times, in several different ways:

- Redford and Hoffman are filmed outside the Library of Congress, effectively at a dead end in their leads. They muse in the importance of getting access to a knowledgeable source—and Redford says to Hoffman, “I have a contact at the White House.”
- On the one occasion when Redford actually phones Deep Throat at his office, he is shown in a telephone booth (remember those?) across the street from the Old Executive Office Building, the massive Second Empire building that is the part of the White House compound where most of the White House staff have their offices. Woodward is shown as looking toward the Old EOB when speaking to Deep Throat.
- Several times, when they are to meet in one of their night time rendezvous, Deep Throat is shown in his car leaving the White House gate at the end of West Executive Avenue, which is where the senior staff had coveted parking spaces. (The most senior staff, of course, had offices in the West Wing, whose entry was on West Executive Avenue, but they had ‘portal to portal’ limousine service such that they would not have taken their own car to the office.)

A blockbuster hit, it not only made Woodward wealthy, but launched many a writer on a journalistic career hoping to be the next successful investigative reporter. The story also provided the opportunity for innumerable cocktail conversations over three decades to speculate about Deep Throat’s true identity.

While I believed it prudent not to talk about my own Watergate involvement, on rare occasions in this same thirty year period—usually after admitting I had been the lawyer on Nixon’s staff who had finalized the White House tape transcripts before their publication, I would be asked if I knew Deep Throat’s identity. I would answer in the affirmative—and conversation would hush and ears would lean inward to finally have confirmed the long-secret identify of that particular member of Nixon’s own staff— the key insider who had so nobly sold him out: Was it Henry Kissinger, Dean’s deputy Fred Fielding, Zeigler’s assistant Diane Sawyer, or even Mrs. Nixon herself? I would confidea that I—and many others on the defense team believing the leaks had to have originated from within the Department of Justice— had concluded it must have been Mark Felt. The reaction was uniform: “Mark Felt, who the heck was he?” And I would reply, “Why, yes, Mark Felt, the white rat”, which was his behind-the back nickname at the FBI. As I would launch into an explanation of why I was so sure, eyes would glaze over and conversation would drift into another direction—because everyone had seen Robert Redford and Dustin Hoffman on the hunt—and ‘knew’ as fully as truth could be told, that Deep Throat had to have been a member of Nixon’s White House staff.

So matters stood for over thirty years: Woodward conscientiously refused to reveal Deep Throat’s true identity—the hallmark of a great and trustworthy investigative reporter. That is, until May of 2005, when Mark Felt’s daughter revealed him as Deep Throat—and Woodward rushed a book into print, titled The Secret Man, that confirmed and expanded upon their unique, mentor-like relationship. By this time, Felt had become senile, couldn’t add any detail to his revelation, and ultimately died late last year without additional comment.

But here’s the rub the no one seems interested in exploring: Mark Felt was Acting Director of the Federal Bureau of Information, an agency of the Department of Justice—without any connection to Nixon or his White House staff. Of course, there remains the underlying question about whether the Deep Throat character was really a composite—but it is relatively clear, by Woodward’s own words, that Mark Felt was his secret source of the government’s investigative information.

There are several ramifications from this, now fully confirmed, situation:

- First, far from a whistle blower, Felt was a career bureaucrat, bitter about not being named FBI Director following the death of J. Edgar Hoover—who was venting his disappointment by leaking dynamite information derived from the Department of Justice’s ongoing investigation into the Watergate cover-up. Who cares? Well,
 - Woodward was not printing information from someone within the Nixon White House that knew specifics of the cover-up; he was printing information already known to and under aggressive investigation by the Department of Justice.
 - Put another way, it is now clear that it was the career prosecutors (Earl Silbert, Seymour Glanzer and Donald Campbell) who had broken the cover-up case and were moving swiftly toward a comprehensive indictment—well before Archibald Cox’s appointment as Special Prosecutor.
- Second, it is little wonder Woodward kept Felt’s identity secret:
 - Merely printing information passed along from someone at the heart of a Department of Justice investigation hardly qualifies as the sort of investigative reporting that had won Woodward worldwide acclaim—and made him rich and famous.
 - What Felt did—leaking information from an on-going investigation—was not only illegal and improper, it could well have slowed the progress of the investigation itself (by alerting participants and their defense counsel to actions being taken by their former

colleagues). Perhaps as important, Felt had compounded his offense: He had retired from the FBI in 1973, shortly after Haldeman, Ehrlichman and John Dean had been forced to resign; but following the 1974 publication of the book, he had been subjected to a hostile, aggressive FBI interview (at a Washington hotel room rented for that occasion), during which he specifically denied being the Deep Throat of Woodward's book. His patiently false answers to FBI questions—especially after being informed of his risk--subjected him to further criminal prosecution.

I was a lawyer on Nixon's White House staff for five years—and Fred Buzhardt's principle deputy during the Watergate defense effort that began in earnest following the Haldeman/ Ehrlichman/Dean resignations. I am quite confident that, but for Woodward printing Felt's revelation without attribution (or even indication that they came from within the Department of Justice's own ongoing investigation), the promised comprehensive criminal indictment for the Watergate cover-up would have come in the summer of 1974 and the nation (regardless of who was included in that indictment) would have been spared a fully year of agony—and all of the political intrigue I documented in my recent book.

The movie's lie, perpetrated as Woodward stood silent for three decades, is almost universally accepted as true. So much so that no one really cared when Deep Throat's identity became known.—Such is the enduring power of a hit movie's falsehood.