

Nixon Slide From Power: Backers Gave Final Push

Former Defenders Persuaded President to Serve the Nation by Resigning

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WASHINGTON, Aug. 11—Richard M. Nixon did not fall from power. He slid, gradually, certainly, in a steady corrosion of his realm. It took 15 days.

It began with a unanimous ruling by the Supreme Court. It ended in the solitary surrender of the President to his fate. But mostly it turned, slowly and painfully, on a campaign among those who had sought at first to save Mr. Nixon to persuade him at least that his Presidency could not, and perhaps should not, be salvaged.

What lay behind President Nixon's stoic resignation announcement last Thursday was an almost eerie accumulation of inescapable ironies:

¶The final push in Congress to oust Mr. Nixon was prompted

by his chief defense attorney, James D. St. Clair. He encouraged the diminishing corps of anti-impeachment members of the House to re-evaluate their defense of Mr. Nixon and reportedly he twice issued discreet warnings to Mr. Nixon that professional ethics might force him to abandon the President as a client.

¶The Army general whom Mr. Nixon promoted to White House chief of staff, Alexander M. Haig Jr., joined Mr. St. Clair and others in a concerted effort aimed at persuading the Commander in Chief to abdicate.

¶The Secretary of State, who became a Nobel Peace laureate by pursuing Mr. Nixon's foreign policies, Henry A. Kissinger, cautioned privately

Continued on Page 15, Column 1

Continued From Page 1, Col. 7

that the continuation in office of a weakened President, preoccupied with personal survival, might invite international intrigue.

¶The Federal judge whose persistent demand for the truth first caused the Watergate cover-up to fail, John J. Sirica of the United States District Court, helped to precipitate the ultimate climax by pressing Mr. St. Clair to learn what was on the White House tapes.

¶The House member who was both the President's most articulate defender and a direct political descendant of Mr. Nixon as the Representative of California's 25th Congressional District, Charles E. Wiggins, became a witting—in fact, insistent—instrument of the President's downfall.

¶And, in what must have been the most caustic irony of all, the electronic taping system that Richard Nixon implanted in the White House to record the zenith of his career provided the documentation that wrecked it.

Mystified by Downfall

Even now, Mr. Nixon is said to be reconciled to what befell him but mystified that it did. He very nearly defied the July 24 order of the Supreme Court to surrender White House tapes for Watergate criminal trials. He almost refused last Monday to release the contents of two-year-old tapes that showed Mr. Nixon to have been engaged in

obstruction of justice. In each instance, the President resisted the judgment of his lawyers that his conduct would have been wrong.

And he resigned his office not out of acknowledgment that he had failed, as the House Judiciary Committee charged, to live up to his constitutional oath, but because Senator Barry Goldwater of Arizona recited, name by name, a list of Republicans and Southern Democrats who were expected to vote to convict Mr. Nixon in a Senate trial.

The history behind the bitter fruits of Mr. Nixon's earnest striving toward Presidential firsts — he alone among 37 Presidents in 198 years, it turned out, resigned the nation's most revered office — may not be sorted out with certainty for years, if ever. Many of those who witnessed Mr. Nixon's collapse at first hand are too numbed or heart-sick to discuss it. General Haig is too enmeshed in the orderly succession of President Ford to reflect on what produced it. Mr. St. Clair is too wearied of the ordeal to brook intrusion on his rest and is determined not to violate the confidentiality of his lawyer-client relationship.

But interviews with a number of other key figures, mostly in Congress and some in the Administration, have provided the broad outline and pieces of the intricate mosaic of the fortnight in which a President slid to ignominy. Here is how it happened:

The Court

Even before the Supreme Court decreed, 8 to 0, that Mr. Nixon must comply with the special Watergate prosecutor's subpoenas of 64 taped conversations, there was a growing sense in Washington that the days of his Presidency were numbered.

"The beginning of the end came before the Supreme Court decision," Representative John J. Rhodes of Arizona, the House Republican leader, reflected last week. "I don't know quite what triggered it. But the feeling had permeated the House that the Judiciary Committee had a lot stronger case than had been imagined. I saw this thing going downhill."

But there is no doubt among those involved that the collapse of Mr. Nixon's fight to stay in office was a consequence of the ruling of the Nixon court.

Ever since the existence of the taping system was disclosed on July 17, 1973, the White House recordings had been the most haunting element of what President Ford described, at his inauguration on Friday, as "our long national nightmare."

To keep the contents of the tapes secret, Mr. Nixon had risked national indignation over the dismissal last Oct. 20 of the first special Watergate prosecutor, Archibald Cox.

Ominous Ruling

And when Mr. Nixon made a vain effort to calm the outrage that followed by yielding tapes and documents of 19 conversations, the recordings led a Federal grand jury to name the President of the United States as an unindicted co-conspirator in alleged obstruction of justice.

Rather than give up the 147 conversations subpoenaed by the House impeachment inquiry, Mr. Nixon issued abridged transcripts of some and refused flatly to provide the rest.

The Judiciary Committee, acting on the taped evidence it had and on the adverse infer-

ence of Mr. Nixon's defiance of a demand for the remainder, moved to impeach the President.

For all that, the final, climactic scene of the tapes drama was enacted only in the last 15 days of the Nixon Presidency.

In its July 24 ruling, the Supreme Court affirmed the right of a President to shield from public view some policy deliberations, notably those involving national security. But the court thundered ominously that no citizen, no President could "withhold evidence that is demonstrably relevant in a criminal trial."

When the ruling was handed down in Washington by Warren E. Burger, Mr. Nixon's appointee as Chief Justice of the United States, the President and Mr. St. Clair were at La Casa Pacifica, the Nixon estate on the coast in San Clemente, Calif. For hours, Mr. Nixon discussed defiance, contending that he had a constitutional right to refuse to obey the judiciary.

Mr. St. Clair let the President know that he would surely be impeached, and probably swiftly convicted by the Senate, were he to refuse to accept the verdict of the nation's final legal arbiter.

With equal vigor, Mr. St. Clair left no doubt that he would be forced, by his own sense of professional ethics, to withdraw from the defense of the President if Mr. Nixon were to defy the Supreme Court. Mr. St. Clair did not flatly threaten to resign; he did not have to. The meaning of his reference to ethics was clear.

Finally, eight hours after Chief Justice Burger pronounced the unanimous decision, Mr. Nixon permitted Mr. St. Clair to read a six-paragraph statement containing the President's pledge to "comply with that decision in all respects."

It would be a dozen more days before it became evident why Mr. Nixon had struggled to avoid the pledge.

The Judge

Although Mr. St. Clair, a scholarly Boston lawyer, was in charge of Mr. Nixon's defense, he was never in command of the case. The President was.

From the outset of the battles over the tapes, Mr. Nixon kept largely to himself the boxes of reels of crucial conversations on which his future hinged. Occasionally, necessity required the President to permit J. Fred Buzhardt Jr., another of his lawyers, to hear portions of the tapes. But Mr. Nixon determined which portions.

And Mr. St. Clair had neither the time nor the access required to understand the contents of the thousands of feet of tape.

It was, apparently, a mystery to Judge Sirica that Mr. St. Clair could attempt to defend his client without know-

ing the evidence in the case. When Mr. St. Clair appeared before Judge Sirica on July 26 to arrange for the records of the 64 conversations to be transferred from the White House to Judge Sirica, and, eventually, to the special prosecutor, Leon Jaworski, the judge peered down from the bench and reminded the President's lawyer that he would be responsible for preparing the analysis of the contents of the tapes.

Five days later, on July 31 — the day after the House Judiciary Committee adopted the third of its proposed Articles of Impeachment — Mr. St. Clair learned at last why his client had held the recordings so closely. Three of the 13 conversations Mr. St. Clair was to hand over to the judge on Friday, Aug. 2, bore the seeds of Mr. Nixon's self-destruction.

The Evidence

The President had insisted for more than two years that he was innocent of any involvement in covering up the ill-fated break-in on June 17, 1972, at the Democratic party offices in the Watergate complex.

The Watergate grand jury had not accepted the President's denials, nor had the House Judiciary Committee. But their judgments were based, for the most part, on the challenged testimony of John W. Dean 3d, the ousted White House legal counsel, and on the circumstantial evidence Mr. Nixon had grudgingly yielded.

But among the tapes of 13 conversations Mr. Nixon was required to turn over to Judge Sirica on Aug. 2 were those of three discussions held June 23, 1972 — six days after the

Watergate burglary — with A. R. Haldeman, then chief of the President's staff.

Those June 23 tapes showed, unarguably, that Mr. Nixon had ordered an attempt — ultimately it failed — to enlist the Central Intelligence Agency in a spurious effort to persuade the Federal Bureau of Investigation to abandon crucial early clues as to the scope of the Watergate scandal.

The approach to take with the intelligence agency, Mr. Nixon counseled Mr. Haldeman, was as follows:

"Say, Look, the problem is that this will open the whole, the whole Bay of Pigs thing, and the President just feels that, ah, 'without going in to the details—don't, don't lie

to them to the extent to say no involvement, but just say this is a comedy of errors, without getting into it, the President believes that it is going to open the whole Bay of Pigs thing up again. And ah, because these people are plugging for (unintelligible) and that they should call the F.B.I. in and (unintelligible) don't go any further into this case period."

Worse, it was evident that at least since last May 7, when the President listened to the conversations and then rejected an overture from Mr. Jaworski for

a compromise that would require giving them up, Mr. Nixon had been aware of what the June 23, 1972, evidence would do to his defense. And Mr. Nixon had withheld it for nearly three months.

The evidence looked, as Representative Barber B. Conable Jr., Republican of upstate New York, would declare when it became public, "like a smoking gun"; it tied the President directly to a criminal obstruction of justice.

The implications were no less clear, immediately, to James D. St. Clair.

The Disclosure

Precisely what Mr. St. Clair did to force Mr. Nixon to disclose what was on the June 23 tapes is one of the remaining mysteries of the collapse of the Nixon Administration.

One version, coming third-hand from within the White House, is that Mr. St. Clair, General Haig and Mr. Buzhardt all threatened to resign if the President did not make the evidence public and make clear that his defenders had been unaware of its existence.

But it would be unlike all three men to accost the President so directly with that sort of challenge.

Another account, seemingly more realistic, is that the June 23 evidence prompted those closest to Mr. Nixon to begin a complicated campaign to persuade the President that it would be in his interest—and, moreover, in the interest of the nation—to resign rather than be removed by Congress.

Buchanan Is Told

On Friday, Aug. 2, General Haig sadly advised Patrick J. Buchanan, a Nixon speech writer and confidant, of the latest evidence. Mr. Buchanan agreed that there was no way Mr. Nixon could survive it. He studied the three tape transcripts and joined in recommending abdication.

During those early days this month, Mr. Nixon began actively considering resignation. But first he sought, unsuccessfully, to persuade his advisers that the June 23 evidence was "inconsequential." They strongly disagreed.

The President wavered. He might consider resigning. No, he would fight to the finish, even if, as he had said before, there was only one of 100 Senators on his side.

Late Saturday, Aug. 3, Mr. Nixon and his family went to

Camp David, the Presidential retreat in the Catoctin Mountains of Maryland where he often had sought solace.

The next day, Sunday, he summoned his principal aides to thrash out the immediate problem, what to say when the tapes were made public. Only General Haig and Ronald L. Ziegler, the loyal, boyish White House press secretary, had direct access to the President in his rustic Aspen Lodge.

Drafting the Statement

In a nearby cabin, Mr. St. Clair, Mr. Buchanan and Raymond K. Price Jr., another writer whose political ideology was a liberal balance to Mr. Buchanan's conservatism, debated for five hours the wording of the statement that President Nixon would issue on Monday along with the three June 23 transcripts. At 7 P.M., they returned by helicopter to Washington.

Monday morning, General Haig called the advisers into his office and they tinkered with the statement. The draft floated back and forth between the President and the advisers, with each making changes in a last, implausible attempt to say what was necessary but minimize the impact.

Late Monday, after copies of the transcripts had been prepared hurriedly and the statement was in final form, the White House made both public. It was shortly after 4 P.M. when the evidence emerged from the White House, and almost immediately the outrage on Capitol Hill made clear—to all but the President—that Mr. Nixon's career would end abruptly.

"We knew it would be devastating," Mr. Price said later, when the devastation was complete.

The Test

Even before the the mechanics of the release of the new evidence were worked out last Monday, Mr. Haig, Mr. St. Clair and others drawn into the strategy sessions that produced the resignation knew what the reaction would be.

The previous Friday, apparently without the President's knowledge, the White House aides had "previewed" the consequences of the disclosure.

Mr. Wiggins, the suave, silver-haired Congressman from the California district where Mr. Nixon's political career had begun in 1946, had worn himself out, as a member of the House Judiciary Committee, trying in the face of increasingly high odds to stave off impeachment. He had offered advice to the White House. It had gone unneeded.

Summoned by St. Clair

So he was curious when, at 2:30 Friday afternoon, Aug. 2, Mr. St. Clair telephoned the Congressman's office and invited Mr. Wiggins to "come over and talk."

As directed, Mr. Wiggins went to General Haig's office a few paces from Mr. Nixon's. "They didn't tell me why they called on me," Mr. Wiggins said later, "and I didn't ask. But I'm quite sure they wanted to get the reaction of one member of the committee."

Mr. St. Clair and General Haig showed the President's most persuasive Congressional defender the June 23 transcripts. Mr. Wiggins quickly read "all the operative sections." The Congressman was distraught. His central argu-

ment against impeachment was that no direct evidence had emerged to prove wrongdoing by Mr. Nixon himself. The June 23 transcripts contained such evidence.

The President's chief of staff and his lawyer told Mr. Wiggins that they had come upon the material as they prepared to comply with the Supreme Court ruling. Mr. St. Clair apologized that the committee, and especially the 10 Republicans who had held out to the last against impeachment, had not had the evidence before them.

Mr. Wiggins remembers the atmosphere in General Haig's office as one of shock, sadness, concern. For an hour, the three men discussed the implications and, gradually, arrived at the same conclusion. Mr. Wiggins would make the information public on Monday, he said, if the President did not. Thus it was bound to emerge.

Finally, reluctantly, Mr. Wiggins said it would be "wholly appropriate to consider the resignation of the president." The President's men did not argue.

Mr. St. Clair suggested, though, that it was "inappropriate" for the President's lawyer to counsel him to resign. General Haig, whose career had been devoted to carrying out the orders of the military's Commander in Chief, agreed that it would be "very difficult for a staff member to go to his boss and suggest something of that magnitude."

But both the general and the lawyer agreed that resignation must be seriously considered.

The Demonstration

Whether they had intended it all along, decided after gauging Mr. Wiggins's reaction or acted instinctively and without prior planning, General Haig and Mr. St. Clair almost immediately set about a concerted effort to demonstrate to the President the futility of seeking vindication in a Senate trial.

Later, a member of Congress

who was intimately involved in the process would describe Mr. St. Clair and General Haig as patriots. "They were obviously in a very delicate situation," the official said. "I hope history will be kind to them. They were torn between loyalty to a President and responsibility to the country."

The President's aides knew that Mr. Nixon would resign



The New York Times

James D. St. Clair listened as Richard M. Nixon bade farewell to his staff on Friday. Mr. St. Clair's warning that he might resign as White House counsel gave impulse to the final push in Congress to oust Mr. Nixon.

not because he had been told to but because he had concluded there was no other choice. They began helping him to come to that conclusion.

Late Friday, a key White House aide telephoned Senator Robert P. Griffin, the Senate Republican whip, just as he was preparing to leave the capital for a weekend at his home in Traverse City, Mich. The caller — Senator Griffin will not say which of the aides it was — told him over the phone of the contents of the June 23 tapes.

A Letter From Griffin

All the way home, Senator Griffin agonized over the stunning news. "As a lawyer, and maybe you don't even need to be a lawyer to understand it, I knew what the consequences would be," he recalled. "I tried to think what I could do."

As General Haig and Mr. St. Clair had evidently hoped, Senator Griffin came to the obvious conclusion: "There was no doubt in my own mind then that the President should resign, had to resign."

After a troubled night, Mr.

Griffin arose that Saturday, Aug. 3, and decided to try, privately, to induce Mr. Nixon to resign.

He sat down at his home and drafted a letter. In it, he said that as the President considered his options, he should be aware that the Senate surely would subpoena the 147 conversations denied the House — the June 23 material, unmentioned in the letter, among them. If the President defied a Senate subpoena, Mr. Griffin wrote that he, among the staunchest of Nixon allies, would have to vote "accordingly."

The Senator dictated the letter by telephone to a secretary in Washington. At 1:30 P.M. it

was carried to the White House by a messenger.

Meantime, the House Republican leader, Representative Rhodes of Arizona, was at his home in Washington, struggling with the decision he had promised to announce on Monday — how he would vote on the Articles of Impeachment.

Sunday afternoon, General Haig telephoned Mr. Rhodes. He gave no details, but the general urged the floor leader of the President's party "very strongly" to postpone the planned Monday news confer-

ence. Mr. Rhodes asked why. "You will know all you need to know tomorrow," the general answered.

As it happened, Mr. Rhodes had a fever and laryngitis, an excuse for putting off the news conference.

At 8:30 Monday morning, Mr. Wiggins, remembering that Mr. Rhodes had said he would announce his position on impeachment that morning, called to warn him against doing so. Mr. Wiggins explained that he had been shown new evidence, that it was "devastating" and that Mr. Rhodes should examine it before making a declaration.

On Monday afternoon, Mr. Buzhardt and Dean Burch, a political counselor to the President, went to Mr. Rhodes's home. With them, to receive a briefing simultaneously, was George Bush, the chairman of the Republican National Committee. Each party leader was given copies of the transcripts, not long before they were made public.

"I decided," Mr. Rhodes subsequently, "it was so overwhelming there was no way the President could stay in office." On Tuesday, he announced that he would vote to impeach Mr. Nixon. But he refused to say whether he believed the President should resign.

The Firestorm

Monday evening, all day Tuesday and on into last week, Mr. Nixon's critics watched as those who had defended him proclaimed their outrage over the President's conduct. Senator Griffin had decided that his letter to the President had had no visible impact. Flying back to Washington from Michigan on Monday, he scrawled on a yellow legal pad

the statement that someone, he felt, should make to encourage the President to resign.

Late that morning, the Senator kept pulling the folded sheets of notes from his coat pocket and going over them as he sat, ironically, at a meeting of the Senate Rules Committee at which the arrangements for a Senate trial of Mr. Nixon were being worked out.

Eventually, Mr. Griffin left the meeting, encountered a group of reporters and decided to make the statement.

The National Interest

Looking into a television camera, the Senator said the national interest and Mr. Nixon's interest would best be served by the President's resignation. That attitude was growing among Mr. Nixon's "friends," said Mr. Griffin, and, although the decision would be awesome, the Senator voiced confidence that Mr. Nixon "will see it that way too."

Actually, he recalled, he had no such confidence at all. In fact, he had been told that Mr. Nixon was resisting the option of resignation. In the public statement, Senator Griffin said, "I was speaking to him, really."

Others as well were speaking to the President. Mr. Nixon received regular reports from his Congressional liaison staff, keeping him abreast of the disintegration of his support in the Senate, where 34 votes would be needed to avoid conviction and removal from office. By last Wednesday, the report projected disaster, but still the President wavered.

On Tuesday, Mr. Nixon told his Cabinet he would not resign. After the meeting, Secretary of State Kissinger stayed to express his concern about the fragility of international relations and the potential effect of a weakened President.

Mr. Kissinger had been developing the overture for several days, since being advised by General Haig of the nature of the June 23 evidence. The Secretary of State was also telling others in the Administration he feared that no one would accept the President's motive if a diplomatic crisis

arose and Mr. Nixon put the military forces on an alert.

But by Tuesday evening it seemed unlikely that Mr. Nixon would resign.

Simultaneously, the six senior Republican members of the Senate were holding a series of urgent conferences to try to devise a means of persuading the President to resign.

All of the six—Senator Hugh Scott of Pennsylvania, the Republican leader; Senator Griffin; Senator Norris Cotton of New Hampshire; Senator John G. Tower of Texas; Senator Bill Brock of Tennessee, and Senator Wallace F. Bennett of Utah—favored some action to induce Mr. Nixon to avoid what they saw as certain humiliation in a Senate trial. The six, all members of the Senate Republican Policy Committee, brought in two other Republicans, Senator Jacob K. Javits of New York and Senator Goldwater of Arizona, to add liberal and con-

servative opinion to the deliberations.

On Tuesday afternoon, the group of eight decided that Senator Goldwater should arrange through Dean Burch, a fellow Arizonian and ally of the Senator's, for a meeting with the President. After several postponements, the meeting was set for 5 P.M. Wednesday.

The party leaders had kept the group small and intimate. Apart from Mr. Nixon, it included Senators Scott and Goldwater and Representative Rhodes. Senator Scott said today, on the CBS interview program "Face the Nation," that General Haig cautioned just before the meeting against any direct recommendation of resignation.

"He is almost on the edge of resignation and if you suggest it, he may take umbrage and reverse," General Haig advised.

Request for Objectivity

As the meeting began, the President asked the three members of the delegation to "be objective" and to disregard such side issues as immunity from prosecution should Mr. Nixon resign or the loss of his government pension should he be

convicted.

None of the Congressional officials ever used the word "resignation" and Mr. Nixon did so only once, in a reference to his "options." But resignation permeated the conversation, indirectly, overwhelmingly.

Mr. Nixon said that he understood he could count on only about 10 of the 435 members of the House. Mr. Rhodes thought to himself that there might be 50 House votes for the President, but he refrained from saying so because, he said later, "that was still too far from 218," the number needed to be sure of preventing impeachment.

The President asked about the Senate. Mr. Goldwater told him he might have 15 votes—19 fewer than the 34 needed to be sure of acquittal. Mr. Scott said he would estimate 12 to 15 Senators would stand behind Mr. Nixon in the end.

But the point was driven home to the President by Senator Goldwater. One by one, he named inveterate supporters of Mr. Nixon—Republicans and Southern Democrats—who were prepared to vote to convict him.

'Gloomy' and 'Hopeless'

The situation, said Senator Scott, was "gloomy."

"It sounds damn gloomy," Mr. Nixon replied.

"Hopeless," said Senator Goldwater.

As the meeting ended, Mr. Nixon hinted that he understood there was only one option and that, perhaps, he had known it all along.

"I just wanted to hear it from you," he said.

After the meeting, the President met with his family. He told them he would likely resign. They urged him not to. Julie Nixon Eisenhower, who had been her father's most single-minded defender, argued forcefully against abdication. Mr. Nixon embraced her, at one point; Tricia Nixon Cox sobbed. The decision was firm.

The Resignation

By Thursday morning, as the resignation speech was being prepared and the word of Mr. Nixon's decision was spreading through the White House, the President seemed relieved. At one point he walked to the office where Mr. Timmons and Mr. Burch were at work and poked his head in and told them gamely, "I hope you guys are not working too hard."

At midmorning, he informed Vice President Ford that the next day he would become President.

That evening, at 8 o'clock, Mr. Nixon met in the Cabinet Room with about 40 of his most loyal supporters in Congress to thank them. Nearly all of them, including the President, cried. By 8:30 Representative Elford A. Cederberg, Republican of Michigan, was concerned that the President seemed "pretty much a broken man."

Thirty minutes later, however, Mr. Nixon was controlled, unemotional, strangely at ease with himself when he returned to the Oval Office to announce

to the nation over television that he would resign at noon the next day.

After the speech, he took a last sentimental walk around the White House with his wife, Pat. Then he made telephone calls to a number of people until well after midnight, thanking them, in some cases seeking—and receiving—reassurance that he had done the right thing.

At 11:30 A.M. last Friday, when the bare, formal letter of resignation was delivered to Secretary of State Kissinger—"Dear Mr. Secretary: I hereby resign the office of President of the United States. Sincerely, Richard Nixon."—he already had made a tear-stained farewell to the White House staff and was airborne, for the last time in Air Force One, going home to California.

As the silver and blue jet, which Mr. Nixon had christened "Spirit of '76," swept south of Jefferson City, Mo., Richard M. Nixon ceased being President of the United States.

Nixon's Popularity as Measured by the Gallup Poll

Question: Do you approve of the way Nixon is handling his job as President?

