

10/24/73 Wpost

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Resigning In the Name Of Principle

Exactly five months ago, in a column discussing Elliot L. Richardson's appointment as Attorney General, the case was made here that of all Mr. Nixon's post-Watergate moves, this one was most fateful for the man and the country.

"Of all those whose standing and prospects have been altered by the Watergate calamity," it was argued, "the new Attorney General finds himself uniquely in a make-or-break position. He can either play a subservient role in a sinking administration—which is what most people expect—or he can break free and assert his independence in a way that could not only restore the reputation he brought to town but conceivably make him the center of the political regeneration of a Republican Party now desperately short of leadership."

"Which he does," the column said, "depends almost entirely on how much backbone this brilliantly trained Boston Brahmin really has."

Well, last Saturday the test came, and Richardson was not found wanting. He resigned, rather than executing the President's order to fire Special Watergate Prosecutor Archibald Cox, and the Deputy Attorney General, William D. Ruckelshaus, whose independence of judgment and integrity match Richardson's own, followed suit.

Even in the shock of the moment, there was a surge of gratitude in this capital—most of whose residents had cynically come to believe after the last three administrations that no high government official had sufficient character to resign over a matter of principle.

Oddly enough, this situation was anticipated in the May 27 column. "Should the President lean on him in any way," the column said, "all Richardson has to say is, 'Sir, if that is an order, I am afraid I would have no choice but to resign.' The President cannot stand up to a resignation threat from *this* Attorney General."

Mr. Nixon's sudden capitulation yesterday on the tapes question indicates that he realized he could not "stand up" to the political backlash of the Richardson-Cox-Ruckelshaus uproar. What remains to be settled is whether the country and the Congress will stomach the remaining parts of Mr. Nixon's attempted power play—the parts that really caused Richardson and Ruckelshaus to resign.

It is important to be clear what the dimensions of this dispute are. Some White House officials are putting out the word that Richardson resigned because he felt personal loyalties to his old professor, Mr. Cox, or personal guilt about saddling the administration with such a gadfly. That is nonsense.

Anyone who knows Richardson knows that his personal nightmare is to be judged self-righteous. He likes to say that political decisions are always marginal decisions, and he stayed inside this administration as long as he did because he convinced himself that he was having some useful influence "at the margins." He would no more quit for personal reasons than he would stalk off a tennis court over a single muffed shot.

What he found fundamentally unacceptable about the President's order was this: A President who had urged that Watergate be "left to the courts" now denied the special prosecutor authority to go back into court to obtain a judicial ruling on the legal adequacy of the "compromise solution" to the tapes controversy; a President who said he wanted to "get the whole story out" now ordered the prosecutor to stop seeking those documents which could expose the wrongdoing that had taken place; a President who had turned over "absolute authority" for this investigation to the Attorney General and special prosecutor now moved brutally to strip them of that authority.

That is why Richardson and Ruckelshaus quit and that is why the Justice Department—whose leadership, reputation and morale they had done wonders to restore in these last few months—is now thrown back under the darkest cloud of cynicism and suspicion. A "law and order" President has, not for the first time, but in the most naked fashion, subverted the agencies of the law.

Whether we accept that from Mr. Nixon is up to us—and our elected representatives in Congress. Richardson and Ruckelshaus have met their tests.

The Attorney General, who less than two weeks ago stood as a symbol of the majesty of the rule of law—bringing the Vice President of the United States to the bar of justice with firmness and forbearance—has been driven out of the Department of Justice by the President he thought to serve. An administration which is pitifully short of public trust has lost, in Richardson and Ruckelshaus, the very men it could least afford to lose.

But they have played their parts with honor and, thankfully, are available for "the political regeneration of a Republican Party" which now seems even more "desperately short of leadership" than it did when those words were written, five months ago.