

WXPost  
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JAN 3 1974

## Wright: Adviser or Scapegoat?

AUSTIN, Texas—Prof. Charles Alan Wright, listed by high White House officials as the source of President Nixon's inflexible line against releasing tape recordings, says he was rebuffed last July when he suggested exploring a compromise solution.

That is not the only difference between White House claims of Wright's role as a Nixon Watergate attorney and his own description given us in an interview at his University of Texas Law School office.

Like much about Watergate, this can be explained in two possible ways—one benign and the other malignant. The benign explanation: garbled internal communications which undeniably becloud the Nixon White House. The malignant explanation: the White House was using Wright to hide behind his massive reputation as a constitutional scholar, attributing to him unpopular decisions actually made by others.

For example, senior presidential aides have assigned Wright major responsibility for Mr. Nixon's intransigence last summer in barring even limited disclosure of the tapes. According to these sources, Mr. Nixon accepted Wright's constitutional advice to withhold the tapes while rejecting counselor Melvin R. Laird's political advice to release them.

Wright's version disputes this. Al-

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though retained by the President on Watergate matters last May, a previous commitment took him to Scotland during July. In Edinburgh July 16, Wright learned from a BBC broadcast that the existence of surreptitious White House tapes was revealed that day. He quickly received a call from the White House, asking him to rush back.

Arriving the evening of July 19, Wright went straight to the White House. He carried with him an editorial from the Times of London urging some compromise for disclosing the tapes. No newspaper in the world, Wright told the White House lawyers, had supported Mr. Nixon so well as the Times. Therefore, should not its suggestions be considered?

The reply from White House counsel Leonard Garment: The time to worry about newspaper editorials had long passed. Wright was handed a *fait accompli*. Less than 72 hours after the existence of the tapes was revealed, the President had decided irrevocably against their disclosure. Nor, Wright told us, was he ever consulted on the propriety of this decision.

Moreover, Wright has been described by White House aides as reas-



Charles A. Wright

suring the President he surely would win the tapes case in the Supreme Court. When we reported this last October, an angry Wright telephoned White House Chief of Staff Alexander Haig to protest that presidential aides were misrepresenting him. Haig later told the press that Wright had predicted merely a 50-50 chance—a version confirmed by the professor.

White House staffers also have described Wright as leading the President to believe that he could fire Archibald Cox as special prosecutor without forcing the disastrous resignation of Elliot Richardson as Attorney General. Not so, says Wright. “I thought sure that Elliot would follow Cox,” he told us. But, he added, he was never asked his opinion.

Thus, Wright's description of his role is far smaller than the image drawn by the White House. He was not consulted about releasing the tapes. He was not asked to assess the consequences of firing Cox. As he revealed in a Washington Post interview published Dec. 9, he was not informed about the two missing tapes and was told about negotiations between Cox and Richardson at the eleventh hour.

Wright imputes no sinister motive. His lack of vital information, he told us, derived from deep White House concern over security. What's more, he believes that concern is well founded in light of pervasive news leaks.

If, however, the malignant explanation of Wright's experience is accepted, he was kept in the dark not because of clogged communications but because the White House intended to take advantage of his reputation. Indeed, now that the White House tapes policy has ended so badly for the President, there are signs some presidential aides see Wright as the scapegoat.

Wright himself remains loyal, supporting the White House in its dispute with Richardson. Nevertheless, the White House clearly feels his usefulness is ended. “Is Charley still unhappy?” asks one presidential adviser, miffed by Wright's recent public statements. Another contends Wright is not being consulted now because constitutional questions are not involved and “his expertise is really very limited, you know.” Like other men of stature, Charles Alan Wright's service to President Nixon concludes with the taste of ashes.