

Nixon Lawyer Says He's 'Very Selective' About

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WASHINGTON, Aug. 6 — Charles Alan Wright, the lanky Texan who will defend President Nixon in the Watergate court cases, reacted strongly to the suggestion that he had come to the White House as a legal hired gun.

"No, not at all," he told a questioner. "I'm not available for that sort of thing."

A law professor, scholar and writer, Mr. Wright is "very selective" about the parties and causes he represents on his occasional forays into the courtroom. His present client, he says, is no exception: "I don't go into any case unless the position involved is one I honestly believe as a scholar to be right."

Given this code, Mr. Wright has never been one to shun a tough fight. He argued in the Supreme Court against the 18-year-old vote and in favor of capital punishment—two of his three losses there in 10 appeals—and succeeded in overturning the largest damage award in American history, \$180-million, for Howard Hughes, the billionaire industrialist and recluse.

The 45-year-old University of Texas professor never saw or talked with Mr. Hughes during that case, but he is doing better with the President. He has discussed the Watergate court challenges with Mr. Nixon "several times" but concedes that their attorney-client relationship is an intermittent one.

Portentous Assignment

"The President has a great deal more on his mind than this insignificant litigation," Mr. Wright observed in a deprecatory moment, referring to the court suit brought by Archibald Cox, the special prosecutor in the Watergate investigation, and one expected to be field this week by the Senate Watergate committee. "Generally, things go up through channels," he added.

At other times during an in-



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Charles Alan Wright at the Executive Office Building

terview in his temporary work quarters in the Executive Office Building, Mr. Wright made it clear that he regarded his assignment as a portentous one.

Asked if he had ever handled a similar lawsuit, he replied: "How could anyone? This is very important litigation to be responsible for. I don't think anybody has ever had a case this important."

Tomorrow, Mr. Wright is scheduled to appear in Federal District Court here with a statement justifying Mr. Nixon's refusal to furnish the Watergate prosecutor with tape recordings of White House conversations.

Mr. Wright was understandably reticent about the details of the legal case he plans to use in defense of the President's right to retain the tapes of his meetings and telephone calls.

He conceded that previous decisions of the Supreme Court and lower courts were not likely to be particularly helpful. "There are cases that bear," he said, "but there is certainly little by way of specific precedent."

Will he then, in the absence of germane court rulings, be forced to rely more heavily on the history of the Presidency? "Generally, history is part of constitutional law," Mr. Wright replied. "If things have happened in a certain way for 184 years, the presumption is that they are part of constitutional law."

Mr. Wright is preparing his case in an office barely 10 feet wide, next to the suite occupied by Leonard Garment, counsel to the President and a fellow member of the Watergate legal defensive squad. In the lone window at his back, an air-conditioner blocks Mr. Wright's

view of the Ellipse behind the White House.

He has no secretary, answers his own telephone and his suit-coat swings on a wooden hanger on the inside of his office door. During the interview, he firmly rejected a telephone luncheon invitation, saying he never goes out between 7:30 A.M. when he gets to the office, and 9:30 P.M., when he returns to his hotel.

Mr. Wright professed puzzlement over repeated press reports that he is being paid \$150 a day as a White House consultant. He said he did not know whether reporters regarded the figure as newsworthy because it was too high or too low.

Private legal specialists comparable to Professor Wright could easily charge a client \$150 an hour for their work on a case of similar importance.

'Country Law Firm'

The White House attorneys engaged in the Watergate case, Mr. Wright said, resemble "a small country law firm," with himself, Mr. Garment and J. Fred Buzhardt, special counsel to the President, as senior partners and three younger attorneys as staff. Efforts to add another lawyer or two are under way.

"We're very close and informal, meet in each other's offices and talk everything backward and forward," Mr. Wright said. "It's very free and easy."

Professor Wright plans to resume teaching his regular courses in constitutional law and the Federal courts at Austin on Aug. 29, hoping that most of the research and briefing for the Watergate cases will be completed by then. He will fly back to Washington for any oral arguments held after that time.

Mr. Wright has never opposed in court the two law professors who are expected to represent the Senate committee—Alexander Bickel of the Yale Law School and Philip B.

Clients and Causes

Kurland of the University of Chicago. But he did serve on two legal committees and on the Yale faculty with Mr. Bickel for a year.

Asked why he thought the committee's chairman, Senator Sam J. Ervin Jr., Democrat of North Carolina, had hired two legal conservatives to represent the committee against a relatively conservative White House legal team, Mr. Wright paused reflectively, then replied: "They are both very distinguished students of the Supreme Court."

Worked on Antibusing Plan

The Nixon White House is not new to Professor Wright. In 1970, he was asked to submit a legal opinion on pending legislation to authorize the 18-year-old vote. He said it was unconstitutional; later, the Supreme Court disagreed. Last year, he helped draft the Administration's antibusing legislation, which did not find favor in Congress.

Mr. Wright is proud to proclaim himself both an adopted Texan—he was born in Philadelphia and educated in New England, but has lived in Austin for 18 years now—and a legal conservative—"I'm for all the best in constitutional government, all the ancient virtues." He added:

"My specialties are the courts and constitutional law, and I'm very distrustful of finding new innovations in the Constitution. There's a great deal of difference between good and bad on one hand and constitutional and unconstitutional on the other."

Some attorneys believe, however, that Professor Wright may have to discover a few innovations of his own in the Constitution, in the totally uncharted area of executive privilege and the bare outlines of a separation of power doctrine, in order to chalk up another Supreme Court victory on behalf of his latest and most eminent client.