

# Why Nixon fired Cox: the

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New York News

'We thought—and frankly, we hoped—that

WASHINGTON — President Nixon decided to resolve the tapes dispute because he was convinced that his ability to govern both at home and abroad was being seriously threatened by the legal onfrontation, a senior White House official says.

The official, who gave an authoritative review of the background of events leading up to the firing last weekend of Watergate Special Prosecutor Archibald Cox and the subsequent resignation of Attorney General Elliot Richardson, said yesterday the President made the basic decision to bring Cox's suit on the tapes to an end a week ago.

"The President hoped to reach a compromise, out-of-court settlement with Cox and was willing to give Cox just about everything he wanted," this source said. "But he wanted to do it in such a way that would not do injury to the separation of powers."

Behind Nixon's decision to reverse his field on the tape issue was accumulating evidence that his legal battle with Cox was presenting a picture of instability abroad that was working against United States interests.

"I'm not trying to say that the Middle East war was started because of this," the source said. "But we had evidence from around the world that this might be a factor — from an increase in infiltration from North Vietnam into the South to more subtle action in the Middle East and Europe."

Having lost in federal district court and in the court of appeals, the President had the option of appealing to the Supreme Court, where his lawyers felt he had a 50-50 chance of winning.

But Nixon thought the uncertainty and division of the

country and the politicization of the tape issue would continue to grow during the several months needed for a Supreme Court ruling and he was convinced that the country couldn't stand this.

For instance, there were growing indications that the Congress would hold up action on Nixon's nomination of House Republican leader Gerald Ford to be vice president until the tape issue was resolved.

The president directed his lawyers and Richardson, who agreed with the settlement idea, to try to reach an agreement with Cox. The eventual offer, under which virtually verbatim summaries of the tapes plus the tapes themselves would be turned over to Sen. John C. Stennis (D-Miss.) for verification, was largely drawn from Richardson's proposal.

"We offered him (Cox) al-

most everything he wanted," the source said. "These were not to be just verified summaries that Cox and the Senate Watergate committee would have received from Stennis. They were to be virtual transcripts — with everything in except cuss words and national security information."

From the White House point of view, Cox not only seemed unwilling to compromise, but appeared too anxious to continue the court confrontation.

"He (Cox) questioned the reliability of Stennis, his ability to determine the relevancy of deleted material, and even about the veracity of the tape themselves — which we felt was insulting."

On Friday — the deadline for Nixon's appeal to the high court — the President asked the air Force to fly

## White House version

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### he would choose to resign?

the leaders of the Senate Watergate Committee — Chairman Sam. J. Ervin Jr. (D-N.C.) and Vice Chairman Howard H. Baker (R-Tenn.) — back to Washington for a White House meeting. The plan was presented to them and to Stennis, and they readily agreed.

When Cox still rejected the offer, Nixon directed Richardson to order him to drop the litigation and ban any further efforts to force the delivery of White House tapes or presidential papers through the courts. The official said the President presumed that Richardson carried out that directive on Friday evening before the compromise offer and the ban on Cox were made public in a presidential statement.

"We considered the possibility at that time that Cox would defy the President's offer as one of three alterna-

tives," the source said. "The other two were that he could resign or simply obey the order. We thought — and frankly, we hoped — that he would choose to resign."

Despite Cox's opposition, the President and his advisers were confident that the compromise would be popularly received, even if Cox resigned or was fired as a result.

"After all, we had acceptance from two co-equal branches of government — the Congress and the executive branches, — and we were hopeful that the third branch, the courts, would find it acceptable."

But the unforeseen development — the resignation of Richardson and the resultant firing of Deputy Attorney General William D. Ruckelshaus — did not become apparent until Satur-

day, after Cox's defiant press conference.

Richardson resigned because he felt he could not fire Cox in view of the strong pledges of independence for the special prosecutor he had given to the Senate during his confirmation hearings. Ruckelshaus was fired when he refused to fire Cox on a direct order of the President.

"This (the departures of Richardson and Ruckelshaus) is what triggered the big reaction," the source said. "It wasn't Cox's firing. Most people on Capitol Hill

felt he (Cox) had been going too far afield anyhow."

The source said there was "absolutely no rancor" involved in the resignation of Richardson and "very little" rancor in connection with Ruckelshaus's dismissal. In fact, he said, Richardson was in basic agreement with the decision on Cox.

Despite the uproar over the firings and resignations, including the calls for impeachment on Capitol Hill, the President is confident he will weather the storm.