
*Rowland Evans
And Robert Novak*

Was Mr. Cox Getting Too Close?

Although President Nixon's surprise decision to surrender the Watergate tapes after all has abruptly muffled impeachment talk in Congress, there is widespread belief—both in Congress and within the Nixon administration itself—that he fired Archibald Cox as special prosecutor because he was getting too close to unpleasant truths.

That encourages bipartisan support in Congress, including backing from some Republican leaders, for legislation requiring a new independent prosecutor for the Watergate affair. Simultaneously, Assistant Attorney General Henry Petersen, now in charge of the case, is under intense pressure to follow investigative trails begun by Mr. Cox. To block the legislation or harness Mr. Petersen would subject Mr. Nixon to new charges of cover-up.

This, the President miscalculated in his lightning thrusts last weekend. Well aware of congressional reluctance to impeach a President, he felt he could get rid of Mr. Cox and the White House tapes controversy in one move with impunity. Instead, Mr. Nixon not only was forced to bow to the federal court order yesterday but finds the Watergate scandal spotlighted more than ever with new demands for an independent prosecution.

Last weekend's stunning developments actually originated in Mr. Nixon's deep regret, encouraged by aides who share his hard-line political style, that he had agreed to Prof. Cox's selection under duress last spring. Those aides considered Mr. Cox a liberal Kennedy Democrat with a dagger at Mr. Nixon's throat.

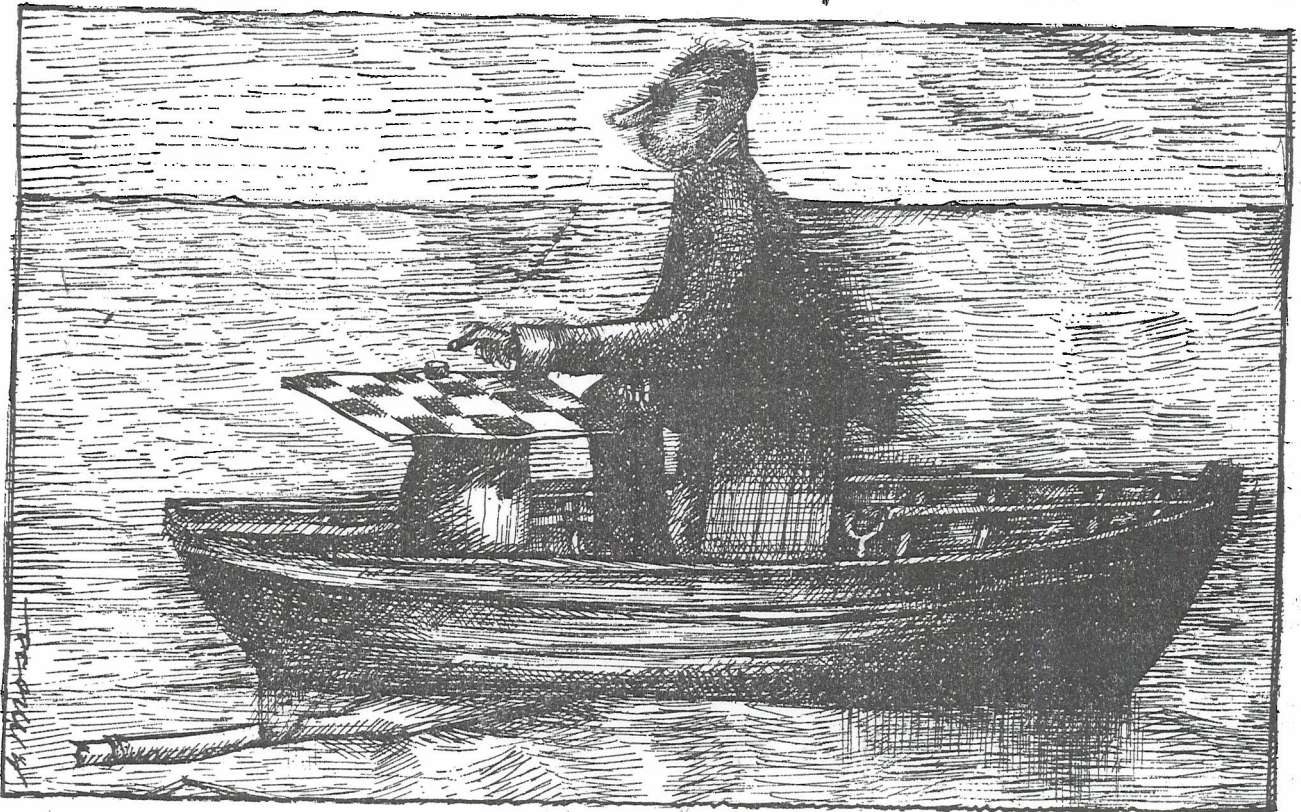
This revulsion with Mr. Cox began boiling over about 10 days ago when Mr. Nixon instructed Attorney General Elliot Richardson to offer a compromise on the surreptitious White House tape recordings that Mr. Cox could never accept. In the upper reaches of the Justice Department, this was immediately recognized as a ploy to conclude the tapes question while purging Mr. Cox and his whole operation. That it would also drive such independent voices as Mr. Richardson and Deputy Attorney General William Ruckelshaus out of government was viewed as an added bonus by White House hard-liners.

High-ranking Justice Department officials believe that the special prosecutor's office, though run by Kennedy Democrats, was in no way embarked on a vendetta against the President. Rather, one high-ranking Justice Department official suspects the White House feared "Cox was doing too good a job." Indeed, some lawyers in Cox's office had hinted they were close to startling breakthroughs.

But expectations that much more than Mr. Cox would be eliminated were dying before the weekend ended. Mr. Nixon clearly expected Mr. Cox's dismissal would be followed by resigna-

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By Geoffrey Moss

tions of his top staff. Instead, White House aides were stunned Sunday afternoon when Mr. Cox's press spokesman, James Doyle, announced the Cox operation was staying intact to bring Watergate's wrongdoers to justice.

That intensifies pressure on Mr. Petersen in resuming prosecution of Watergate. Inheriting Cox's army, he faces instant public protests if he changes direction. In fact, Justice Department colleagues feel Mr. Petersen may be even tougher than Mr. Cox in trying to redeem his reputation as a career civil servant, somewhat tarnished by the early Watergate investigation.

Moreover, the White House strategy of aligning Congress against Mr. Cox has failed. After Cox predictably turned down summaries of the tapes,

the White House last Friday unilaterally offered the same deal to Sen. Sam Ervin and Sen. Howard Baker of the Watergate investigating committee without mentioning negotiations with the special prosecutor. Once the senators accepted, the White House immediately, and incorrectly, described this as a congressional-presidential compromise, with Mr. Cox as the only dissenter.

This misshaping of reality has been widely rejected in Congress. There is bipartisan feeling in the Senate that the summary dismissal of Mr. Cox insulted a Senate which had forced creation of the special prosecutor's office. Consequently, the Senate must legislate a new special prosecutor to retain any self-respect.

Finally, Republican congressmen re-

turning from the long weekend gave glum reports to presidential aides checking constituent reaction. Many told the White House that voters who previously thought Congress was harassing the President now felt Mr. Nixon had unnecessarily provoked a new crisis—exactly opposite to what the President anticipated.

The belated surrender of the tapes does not end the crisis. Republicans are bitter about Richardson and Ruckelshaus and a broad bipartisan segment of Congress remains insistent that a new independent mechanism to prosecute Watergate be established. After having put the country through the hoops over five incredible days, Mr. Nixon has not put Watergate behind him.

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