

# Mr. Nixon's Deceptive Compromise

By James Reston

The one thing you have to say for Richard Nixon is that he knows when he is licked. Almost everything he always said he would never do—compromise with Moscow, recognize Peking, accept deficit financing, or be unfaithful to his promises—he has done. And he has done it again by releasing the Watergate tapes, which he said he would never release.

It was a clever move. He has retreated from one mess to another, but he has gained time. It will take weeks to get the tapes down on paper and to get a new team to take over the prosecution at the Justice Department, but meanwhile, he has got rid of Archibald Cox, the "independent" prosecutor, which was probably his objective, and he has postponed—though he has not avoided—a critical battle with both the courts and the Congress.

The President was in terrible trouble before he switched and agreed to let the tapes go to the courts. He judged Archibald Cox well enough. He gave Mr. Cox a dishonorable order he knew Cox wouldn't accept, and he was right. So Mr. Cox, for the moment, is going home.

But the President misjudged Attorney General Richardson and Deputy Attorney General Ruckelshaus. He appealed to Mr. Richardson to concentrate on the Middle East crisis and stay on even if Mr. Cox disappeared. He even had Richardson's old friend Henry Kissinger appeal to Richardson to stress the foreign crisis and avoid a resignation, but Mr. Richardson didn't agree.

The White House didn't even give Mr. Richardson time to respond to the President's order to fire Special Prosecutor Cox. Gen. Alexander Haig called Richardson at 7 o'clock last Saturday night and told him the President was sending him a message,

## WASHINGTON

which seemed to call for an answer from Richardson, but while the Attorney General was trying to draft a reply, the White House put out its announcement that Mr. Cox was fired.

Then the White House turned to Mr. Ruckelshaus to fire Mr. Cox, and General Haig not only told him this was an order from "the Commander in Chief" but appealed to him on patriotic grounds to carry out the order. Mr. Ruckelshaus, according to his associates, replied that patriotism was not the same as obedience, that

in his mind it was sometimes the opposite, and that he would not comply. So he was fired.

Meanwhile, Mr. Richardson appealed to the President's aides and lawyers to consider what the reaction would be in Congress and in the country if they fired Mr. Cox for carrying out the independent prosecution he was promised by the President and the Attorney General; but his appeal was rejected, even after he implied that he would have to resign if they insisted.

It is interesting and significant that during those critical five days when Mr. Richardson was negotiating with the White House staff, and warning them not to fire Mr. Cox or force his own resignation, the President never discussed the problem personally with his own Attorney General, until the very end when it was clear that the President was determined to get rid of Mr. Cox. Only then, when Richardson said he would resign if Cox was fired, did the President agree to see him, and even then, he let him go and later ordered him to dismiss Mr. Cox.

It was a typical bold and desperate Nixon play, but this time it didn't work. Public reaction went against the President. Messrs. Cox, Richardson and Ruckelshaus went on television and stated their arguments; all of them, and particularly Mr. Richardson, with devastating effect.

Accordingly, the President was confronted with precisely the power struggle he had sought to avoid. The Congress was proceeding toward impeachment proceedings in the House. The unions were demanding his dismissal from the Presidency. More important, the old Republican Establishment, led by the leaders of the bar, were denouncing the dismissal of Mr. Cox and the resignation of Mr. Richardson, and indications were that Judge Sirica was going to hold the President in contempt of court.

Facing all this, and the prospect that the controversy would go back into the streets if he defied the courts and the Congress, the President agreed to hand over the tapes. This will avoid the clash for a time but not for long.

For once he has admitted the tapes into evidence in the courts, it will be hard for him to exclude other relevant documents, or to argue against another special prosecutor. He has got rid of Mr. Cox for the moment, but not of prosecution. He has saved his skin, but not his honor.

Ironically, he chose to challenge in this latest of his political crises three men—Cox, Richardson and Ruckelshaus—who had become the most attractive and articulate symbols of objectivity and probity in his Administration. And in the process, he lost all three.

This has shocked Washington more than anything since the Watergate burglary, and while he now has time to try to sort things out, he has affronted his own most loyal supporters and even his own Cabinet, and raised the most serious questions about his moral authority to govern over the next three years.