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How Nixon misjudged the

White House admits surprise at public outcry over tapes

By Peter Lisagor
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WASHINGTON — President Nixon's belated awareness that he had dangerously miscalculated the public mood over the firing of Special Watergate Prosecutor Archibald Cox led to his abrupt reversal in the tapes controversy.

The President's change of mind, according to White House Chief of Staff Alexander Haig, was in response to a "whole milieu of national concerns."

They were equally distasteful and indigestible, from all accounts, and not the least of them were the clamor for impeachment proceedings to begin in the House, the steady outpouring of public indignation over the anticipated consequences of Cox's dismissal, and an apparent awareness on Nixon's part that his capacity to continue to govern was imperiled.

Haig and Prof. Charles Alan Wright, a legal consultant to the White House counsel, conceded in a briefing of newsmen late yesterday that the President and his associates had failed to visualize the outcome of the Cox ouster and to assess the reaction to the so-called "Stennis proposal."

They apparently believed that the President's plan to provide the Senate Watergate committee with a summary of the controversial tapes, verified by Sen. John Stennis (D-Miss.) after he had listened to "each and every syllable," would satisfy the courts, the Congress and the people.

But they misread Cox, who refused to acquiesce in the Stennis arrangement, said Haig, recounting the calculations of the President's advisers. The Harvard law professor, who insisted that his contract to operate inde-

pendently be kept, took none of the options they felt were open to him: accepting the Stennis plan, resigning, or delaying any action until the issue was tested in court.

Instead, Cox called a news conference Saturday, to the consternation of the White House, and explained why he found the proposal unacceptable and why he believed the President had violated a promise made by Attorney General Elliott Richardson that he would have a free hand.

To the White House, this was an act of insubordination. The President ordered Cox to be fired, but Richardson and Deputy Attorney General William Ruckelshaus resigned rather than fire Cox — and what Haig called a "firestorm" developed.

The President spent Monday night at Camp David, Md., apparently intending to send Wright to Federal Judge John J. Sirica's court

to argue that the Stennis plan conformed to the "spirit" of the appellate court's decision upholding, with modifications, Sirica's judgment that he ought to hear the tapes in camera.

But the situation changed, according to Haig, when the President returned to his Oval Office desk yesterday morning.

While Haig was not specific about the circumstances, which he described as "grave," they obviously included an undiminished public outcry over the departure of Richardson, Ruckelshaus and Cox and a rising demand in the House to start impeachment proceedings. Friendly newspapers published angry editorials in opposition to the President, and the usual voices supporting Nixon in Congress were openly opposing his move or standing mute.

Haig said that a key factor in the President's switch was that his compromise proposal was being misinterpreted as "contrived substitute," to conceal the real contents of the tapes, and as a scheme to relieve Cox of his duties.

Richardson himself held a televised news conference yesterday, and stood his ground firmly in support of Cox, declining to answer directly whether he thought the President ought to be impeached. The Richardson performance was carefully monitored in the White House.

What precisely tipped the President over is not clear. However, Haig said that Nixon concluded, after "painful and anguished" discussion with his advisers, that he would make this "single exception" to his long-standing conviction of the separation of powers and any President's right to preserve the confidentiality of conversations with his staff and turn over the tapes to Judge Sirica.

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