

## Beyond the Tapes

With his last-minute decision to obey a Federal court order to surrender the White House tapes, President Nixon has escaped the contempt citation that continued defiance would have rendered all but inevitable. A nation appalled by the prospect of a President in contempt of court is understandably relieved. But the fundamental nature of the governmental crisis has not been changed, much less resolved, by the President's action.

Mr. Nixon's defiance of the courts, though in itself an issue of extreme gravity, was merely an extension of the Watergate scandals. The end of that specific judicial confrontation in no way removes the clouds that hang over the White House. While the battle over the tapes had become a symbol of what is more broadly known as the cover-up of the Administration's conduct, Mr. Nixon's surrender in this legal skirmish does not answer the ultimate question of his continued capacity to command the respect and confidence necessary for effective government.

In the circumstances surrounding the dismissal of Special Prosecutor Archibald Cox, the issue of the tapes was not the only nor even the central issue. It was rather an attempt—spelled out with imperious clarity in the President's order to Mr. Cox—to put a permanent halt to any investigation whose trail would lead to the White House. The lowering of the boom on Mr. Cox was thus intended to keep permanently beyond the reach of a full and independent inquiry the evidence which Mr. Cox says had been transferred into inaccessible "Presidential files." Surrender of the tapes may well have amounted to a relatively small sacrifice, if it were to succeed at the same time in eliminating the prosecutor before he could present his case to the grand jury.

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The only acceptable course now is, therefore, immediate resumption of a full and unlimited investigation of the broad range of governmental wrongdoing and corruption—political as well as fiscal—at the hands of an independent prosecutor. It is no reflection on the personal integrity of its staff to say that the Justice Department cannot at this juncture effectively sponsor such an investigation. Mr. Cox's experience, as well as the legal doubts raised concerning the feasibility of an investigation of the executive by the executive, makes it imperative that the new prosecutor be given a home base safe from White House interference.

The continued inquiry by the House of Representatives into the possibilities of impeachment proceedings, though entirely proper, is no substitute for the resumption of the investigation initiated under Mr. Cox. The need, therefore, is for Congressional action now to appoint a new special prosecutor, responsible to the courts and empowered to take over Mr. Cox's staff, files and completed case work.

The predicable plea of spokesmen for Mr. Nixon that these investigations and Congressional inquiries weaken the influence of the United States in international affairs is specious. The integrity of the United States Government is indivisible. Credibility abroad cannot flow from an Administration whose conduct has lost the confidence of the American people at home.

The cloud of corruption and deceit that hangs over the White House cannot be dispelled by Mr. Nixon's claim that he has more important matters on his mind. Nothing is more important than an answer to the question whether the President's past and present stewardship permit him to govern effectively in the future.