

"Outrageous," "vicious," "distorted," "frantic," "hysterical"—thus did the President of the United States characterize television's reporting of the events which culminated in a peak of sorts last weekend when he dismissed special prosecutor Archibald Cox, and received the resignation of Elliot Richardson and William French Smith from the two top positions at the Department of Justice. Mr. Nixon accompanied this characterization with what has now become the familiar afterthought that he of course was "not blaming anybody." How odd. One wonders then what he was doing. Here and there the President tried to refine the nature of the charges he was making and, so far as we could tell, they boiled down to allegations that "commentators" had overdrawn the importance of the events connected with Watergate disclosures and with his treatment of the investigation and that people had gone on the air with stories they knew to be untrue. In effect, then, Mr. Nixon was pitting himself against the media as bearers of information concerning the activities of his government in a contest for the public's confidence. One or the other, it would seem, was misleading the public as to both the nature and the gravity of the facts.

The charge that somehow and in some significant measure the public has been the victim of an electronic hoax in the series of shocks to which it has been exposed is pretty serious. And in our view perhaps the best way to judge whether it has any validity may simply be to recapitulate, without "hysteria" or emotional color of any other lesser kind, the bare, neutral facts of what has occurred. Two former administration Cabinet members—including an Attorney General—have been indicted; some of the President's most important aides—including his White House chief of staff, his domestic counselor and his special counsel—have been obliged to leave government as a consequence of being under criminal investigation themselves and some have also already been indicted; the Vice President of the United States has been convicted of a felony and forced to resign from office; the President of the United States has fired the special prosecutor appointed with his consent and promised support to deal with evidence of wrongdoing in his administration; he has received the resignations, as a result, of the Attorney General and Deputy Attorney General who were brought in to restore public confidence in the ability and intention of the Justice Department to enforce the law. The leaders of the President's own party in the House of Representatives felt obliged to inform him that if he himself did not yield to a particular order of the federal courts and also restore the office of special prosecutor they could not ward off a vote to impeach him in the House.

If President Nixon genuinely believes that the foregoing short history of the past few months constitutes a series of events that are not shocking in themselves and without benefit of commentary of any kind, his understanding of what people expect from their government and of the standards they expect it to meet must be unique. Indeed, it is a measure of the pace and size of the avalanche of events to which we have all been treated that only 17 days after the resignation of his Vice President, Mr. Nixon, in his first press conference since the event, was not even asked about it—precisely because so much more had intervened.

When the distortion, as distinct from the overplaying, of these events is concerned, we think the President should look to his own record. After 10 months of repeated White House denial of the validity of media reports on Watergate and related depredations, the President's spokesman was obliged to announce that all previous White House statements on the subject were "inoperative." Since that time a great deal has occurred, but it does not seem to have persuaded Mr. Nixon of the necessity of being straightforward in his public discussion of these events. We offer the example of the Presi-

dent's own assertion on Friday night that the proposition Mr. Nixon offered and Mr. Cox rejected a week before had received the "approval" of Mr. Richardson. That's not the way the former Attorney General tells it. The proposition had two parts: As he himself described it, the President would make available to the court a "summary" of the particular White House tapes Mr. Cox had subpoenaed and in return for this apparent paraphrase, which would be "authenticated" by Senator Stennis, Mr. Cox would desist from further attempts through the courts to acquire—as Mr. Nixon put it—"still more tapes or other presidential papers of a similar nature." Hear former Attorney General Richardson on whether he "approved" this proposal:

*"I did not believe . . . that the price of access to the tapes in this manner should be the renunciation of any further attempt by him [Mr. Cox] to resort to the judicial process, and the proposal I submitted to him did not purport to deal with other tapes, notes or memoranda of Presidential conversations."*

The quotation (italics added) comes from a letter Mr. Richardson sent the President and he repeated this account in his press conference after his resignation last week. Yet Mr. Nixon persists in describing his original "offer," which he was ultimately to force unilaterally on Mr. Cox, as one which had the support of Mr. Richardson and also of Senators Ervin and Baker, neither of whom was a party to the conflict between Mr. Cox and the President, and neither of whom appears to have offered support for the future limitations the President wished to place on the special prosecutor's role.

It is precisely because of episodes like this that people have become so leery of the White House's repeated—and repeatedly overturned and overtaken—pledges to lend full presidential authority to an investigation of the crimes and improprieties that go under the general heading of Watergate. And now Mr. Nixon, who has just summarily fired the special prosecutor on the case and dissolved the special prosecutor's office, asks the Congress and the people to accept, as a just and plausible remedy, the appointment of another special prosecutor by him—one of whose cooperation he says he would be certain and who, though "independent," would have no reason to pursue tapes, notes, memoranda or other evidence of the kind that Mr. Cox got into so much trouble pursuing. Somehow, it "would not be necessary," the President said, for his new special prosecutor to avail himself of the normal judicial processes in an effort to obtain the kind of material which Mr. Cox thought it was "vital" to at least examine in the interest of a fair and thorough investigation and prosecution. That, in short, is how Mr. Nixon defines "total cooperation" on the part of his administration with a special prosecutor.

It is possible, apparently, that the President, by setting up a special prosecutor on his own terms, can technically foreclose action by the Congress to set up a genuinely independent prosecutorial process in which a disillusioned American public could have some real faith. But if this turns out to be the case, nobody should be in any doubt about what the President is doing. He is doing what he has been doing from the start—by the demonstrable fraudulence of the "investigations" undertaken on his behalf by John Dean III and John Ehrlichman; by the impediments strewn by the White House in the path of Justice Department and FBI investigations; by his firing of Mr. Cox and his gross distortion Friday night of the circumstances under which this occurred. By capping this record—at this point—with a proposal to grant his new prosecutor what would seem to be even less independence of action than was promised Mr. Cox in a clear compact with the Senate arising out of the confirmation of Mr. Richardson, Mr. Nixon can only be regarded by a disturbed public as engaging in yet another cover-up.