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# Letters to the Editor

## The President and the Prosecutor: As the Smoke Settles

To the Editor:

As the smoke settles over Washington, we must pause to ask what justice requires of this nation with respect to its President.

The most important requirement is that evidence concerning the President should be pursued wherever it may lead, be it to a conclusion of guilt or innocence.

Since the President had no specific charges of bias or unfairness against Archibald Cox—who was supported by two confirmed Nixon loyalists, Richardson and Ruckelshaus—the dismissal of this important public servant has temporarily obstructed the investigation. However, other people can be granted the conditions under which to continue Mr. Cox' role and, together with his excellent staff and its knowledge of the problems of this complex prosecution, press forward in the public interest.

It is clear that justice requires carefulness. There should be no rush to impeach. The nation must demonstrate its love of justice by its manner of considering the questions of impeachment and trial.

If this nation adheres to the concept of justice, we will suffer a period of national agony. Only the resignation of the President, motivated by the national interest, can spare us this agony.

PETER B. BLOCH

Washington, Oct. 24, 1973

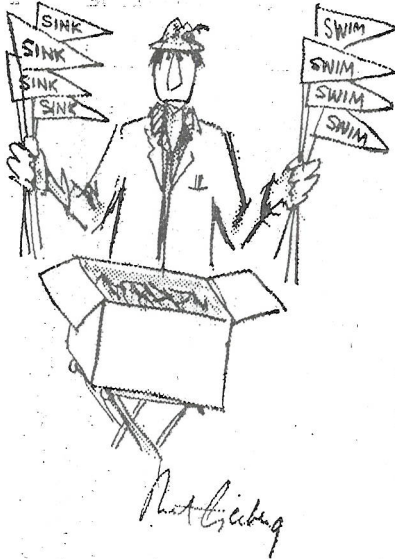
To the Editor:

In spite of all the rhetoric and hysteria, one fact emerges with the absolute clarity: Had there been any evidence of Presidential wrongdoing in the tapes or White House files, Mr. Nixon would have had no choice but to resign rather than surrender any of the documents.

Immediate release of such records would have vindicated the President three months ago and ended six months of literal hell to which he had allowed himself to be subjected. Solely from a personal standpoint, President Nixon had nothing to lose and everything to gain by divulging the contents of the disputed tapes and papers. From the standpoint of the integrity of our system of government, however, the loss was and is incalculable.

The legislative and judicial branches of our government may for the moment rejoice at their shallow victory over the executive branch. What they have failed to realize is that by weakening the executive they have opened the way to weakening the legislative and judicial branches in equal measure. Attacks upon the two "victorious" branches of government are bound to follow as surely as night will follow day.

I do not dispute the President's final decision. In the face of the Government's inability to function under conditions which had been created, and faced with the seriousness of domes-



tic and foreign situations, Mr. Nixon had no other choice. It is to his everlasting credit that he held out for the integrity of our system of government until the very last moment in spite of the anguish such a course offered.

The damage done to our form of government with its three coequal branches and its system of checks and balances is indeed severe but not irreparable. After the inevitable attacks on the legislative and judicial branches are launched, by means we cannot yet foresee, new legislation or a constitutional amendment will become necessary to restore the integrity of our federal system of government, which has now been severely damaged by the fires of hate and irresponsibility, whose flames had begun to feed themselves.

It was President Nixon who defended, not defied, our laws, and it was he who fought hardest to preserve the integrity of our form of government for all of us and for all generations to come. His fight and his sacrifice will not have been in vain. History will surely praise Richard Nixon for the very actions we now so foolishly condemn.

RUTH MERKIN

Yonkers, Oct. 24, 1973

To the Editor:

The President has now come full circle in his firing of Special Prosecutor Archibald Cox and the abolition of his entire office.

The firing was explained on the theory that Mr. Cox refused to cease seeking the tapes, which the President still claims are privileged. But now the President has decided to obey the law and yield the tapes, pursuant to court order, although he declines to reinstate Mr. Cox.

Only one interpretation of this confluence of events is now possible. Mr. Nixon could not stand to leave Mr. Cox in office as an honest and vigorous prosecutor, and the events of last weekend were designed at least as much to get rid of Mr. Cox as to protect the tapes. Clearly, Mr. Cox and

his team were closing in on some facts which Mr. Nixon dares not let be known. Something was about to be discovered which caused the President to conclude that it was better to take the heat from firing Mr. Cox than to permit it to surface.

Certainly there is no principle involved in the President's firing of Mr. Cox, for he has now reversed himself on the very principle which he claims provided the basis for Mr. Cox' discharge. The firing is a continuation of the earlier cover-up. No matter who was in charge of it before, it is obvious who is in charge now.

Accordingly, impeachment proceedings and a Senate trial are still appropriate and necessary. We cannot afford the luxury of sanctioning obstruction of justice by the President, and there is no other term for what is now going on in the White House.

DONALD L. DOERNBERG

New York, Oct. 24, 1973

To the Editor:

I applaud the President's dismissal of Mr. Cox. The Watergate witch-hunt has failed to implicate Mr. Nixon in any wrongdoing. The protracted "investigations" have, however, undermined the authority of the Government, with dire consequences both at home and abroad.

Mr. Nixon's compromise achieved with the Ervin committee could have avoided a constitutional crisis and permitted the authority of the Presidency to be re-established at this crucial turn of our history. Mr. Cox could not be permitted to set himself up as a super-president.

It's time we stop fiddling around with Watergate while the whole world is aflame.

ARTHUR HIRSCH

Elizabeth, N. J., Oct. 22, 1973

To the Editor:

Last weekend's events have again demonstrated that the nation will never be secure from executive tyranny until the Justice Department and all its investigative powers are guaranteed independence, whenever necessary, from the White House. It is preposterous that a special prosecutor and the Attorney General must be sacrificed precisely for their goals to be accomplished.

How can we expect the President to obey the law out of respect and awe of it if he has one of its branches, the Justice Department, under his direct control? And since Congress has been singularly unsuccessful in gaining access to privileged information from the executive branch, if the Justice Department cannot investigate the executive branch when needed, who can?

This problem, it seems to me, is the real constitutional crisis confronting the country.

JOHN BROWNING

New York, Oct. 24, 1973