

w post
10/22/73

Archibald Cox

Tough, Independent Man Who Does Not Quit Easily

United Press International
Archibald Cox was, well, professorial, when he made the announcement that, contrary to the wishes of the President of the United States, he was going to keep trying to get access to secret Watergate tape recordings.

In a rambling news conference that sounded more like a lecture, he rejected a headline that said "Cox Defiant" and said, "I'm not looking for a confrontation," but said he would tell the courts that he did not accept the compromise President Nixon proposed.

An angered Mr. Nixon fired Cox as head of the Watergate Special Prosecution Force. One of his former pupils, Attorney General Elliot L. Richardson, resigned, and the deputy attorney general, William D. Ruckelshaus, also resigned.

The 61-year-old Cox has not spent all of his time as a Harvard law professor. He has been the U.S. solicitor general and a labor law expert who served in the Truman administration.

As special prosecutor, Cox headed a staff of 90 with a budget of \$2.8 million and authority to investigate and prosecute the break-in and bugging of Democratic Party headquarters at the Watergate, illegal campaign contributions, political espionage, "dirty tricks" and corruption.

When Richardson named Cox last May, many people asked whether the Harvard professor could maintain his independence if the scandal led to President Nixon.

Now, five months later, the question of his independence has been answered.

Cox, tall and distinguished with crew-cut gray hair, was caught between his public promise to conduct a fully independent investigation and orders from the President to make no further attempts to obtain the nine tapes he wanted.

But Cox has long had a

reputation for being a tough, independent man who does not surrender power easily. Less than a day before he was fired, Cox was asked if he intended to resign because of the orders not to pursue the case in the courts: "No—Hell, no," he replied.

President Harry S. Truman learned of Cox's independence in 1952 when Cox quit as chairman of the Korean War Stabilization Board because Truman overruled a decision to cut 40 cents from a coal miners contract.

Ten years later, Cox served as solicitor general during the Kennedy-Johnson administrations, arguing the position of the U.S. government before the Supreme Court. He addressed the justices as equals and showed no lack of confidence in his ability to present the government's case persuasively before the high court.

Once asked by the late Justice Felix Frankfurter how he expected a complex case to be settled if the Justice Department could not even agree on it, Cox replied: "Oh, Mr. Justice, if the dispute were only inside the Justice Department, I'm sure I could settle it."

A labor law expert, Cox lacked criminal trial experience, but he headed a five-man inquiry into the 1968 student disorders at Columbia University and in 1972 he served as counsel for a commission investigating allegations of bribery and corruption in Massachusetts. Richardson, who once studied law in Cox's classroom, named him to the job of Watergate special prosecutor.

Now, with his Watergate investigation seemingly stymied by orders from the President, Cox finds himself facing a true test of his independence.