

*Saul Pett*

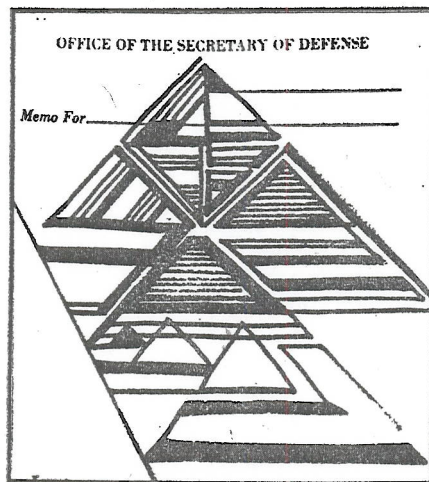
# Elliot Richardson: Walking A Delicate Line At Justice

**W**HEN he has something to think about, and there has been much lately, Elliot Lee Richardson thinks hard with a kind of serene fury. Thinking, he doodles prodigiously. Doodling, he wads up the result in a paper ball and shoots baskets. He shoots baskets prodigiously.

An intriguing sight.

The Attorney General of the United States, a man on the spot if there ever was one, a man of immaculate attire and rare distinction, a flexible George

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*His doodling . . .*

the heads of the assembled brass. The warlords finally concluded it would be safer to reduce the targets of opportunity.

So, they gave him a toy basket, about four inches across, with a rim, net and backboard all attached to a wastebasket. It now stands in a corner of the richly paneled office of the attorney general, where previous tenants kept a shredding machine.

Tall, trim, youthful—his manner and body seemingly melded in one fluid motion by the confidence of natural endowment, family, money, broad experience and an old Yankee conscience—Richardson does not reflect the unique pressure cooker he now occupies. He doodles and he smiles; he puffs calmly on his pipe and maintains what James Reston calls an “elaborate, almost ostentatious serenity.”

As Richardson sees it, his overall mission is to restore public confidence in the Justice Department and in “the integrity of justice itself” in the oily wake of Watergate. “Ninety-nine and 44-100 per cent pure is not now—if it ever was—good enough.”

It was a ringing statement, made early in the job, but before he can sterilize the image, he has a long way to swim and many ways to drown in the riptides of Watergate. As attorney general, he must oversee the prosecution of a former attorney general and a former secretary of commerce in the Nixon Cabinet.

He must walk a delicate line between the special prosecutor he appointed and the administration the prosecutor is investigating, between Archibald Cox, whom Richardson can fire, and Richard Nixon, who could fire either. Above all, he must deal with the towering problem of his fellow Republican and teammate in the Nixon lineup, Vice President Agnew.

What is and how strong is the evidence of political corruption in Baltimore against Agnew? Should the grand jury be asked for an indictment? If the evidence is actionable, should it go to the courts for prosecution or to the House of Representatives for impeachment?

Can the decision be made purely on the evidence? How much room is there for subjective judgment and discretion by the prosecutor—Elliot Richardson being the chief prosecutor of the United States? Can other factors be considered—the effect on a country al-

ready shaken and skeptical, on the continuity and conduct of government itself? And if these things are weighed in the matter of a vice president, what happens to democracy’s solemn promise of even-handed justice for all, for the mighty and the weak alike?

Richardson has let it be known that all these factors must be considered in the interest of the nation as a whole and justice in its deepest sense. On the question of the evidence, there are statutes and standards to guide him. On the broader questions, he finds neither the Constitution nor the laws light his way.

So?

"One has to call on all of one's resources of wisdom, judgment and experience," Richardson says, carefully not tipping his hand. "But one thing is not difficult. It is not hard to exclude personal considerations."

He has forsworn politics at Justice and ordered the top people there to do likewise. Still, the speculation persists in Washington that if Agnew is knocked out of the box, Richardson might be a likely candidate for the Re-

**"As Richardson sees it, his overall mission is to restore public confidence in the Justice Department."**

publican presidential nomination in 1976. This despite the fact that his public image is something less than galvanic, that he has no visible constituency beyond Massachusetts, no organization of his own and relatively little exposure to the national machinery of his party.

Still . . .

"If he can purify the administration without bringing it down around his head," said John Sherman Cooper, former Republican senator from Kentucky, "he just might have clear sailing to the nomination. It's a long shot about a possibility."

Does he want to be President?

His associates say they don't really know; at any rate, he is doing nothing about it. His wife, Anne, says she doesn't really know, but in any case the possibility does not represent a "clear and present danger." A woman of charming candor, she adds: "However, he is not so modest that he doesn't feel he couldn't handle the job."

And Richardson himself? He mulls the question, a small smile stretching his broad mouth, his brush pen rapidly doodling an elaborate something of highly symmetrical, detailed leaves. Then he says:

"The only honest answer I can give is that when I've thought about it, which is often, I don't honestly think I don't want to be President."

"I can't say that if I had the opportunity, I'd walk away from it or do nothing to encourage it. Now, that is just recognition of the fact that I'm a creature of public service and politics. I suppose I'm like a shortstop. Each new grounder hit toward him is something he can control. He just has to concentrate on each grounder."

Another time, another metaphor, Richardson was once quoted as saying that successful men in Washington rely on "those random currents of air to get up, stay up and get where they want to go."

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At first glance an employment agency might not touch Elliot Richardson with a 10-foot pole. Since 1948, he has held no fewer than 13 government jobs, eight in Washington, none longer than 2½ years. Now, at 53, he jokingly despairs of ever getting steady work.

Critics of Elliot Richardson do not quarrel with his cerebral qualities or what Fortune magazine once called a "first-class mind that does not make mistakes." They do not dispute his reputation for being a quick study, a man with a breathtaking grasp of complex detail, a penetrating analyst and problem solver, an administrator who was able to move into HEW when it was shaking with dismay and dissent, put it together, make it work and grab control of the bickering baronies.

What has been questioned is the precise location of his spinal column. A liberal, his liberal credentials were roughed up, if not torn up, for not resigning as HEW secretary when the White House undercut busing for school desegregation, for not protesting

publicly the invasion of Cambodia, the Christmas bombing of North Vietnam last year and the nomination of G. Harrold Carswell to a bench one occupied by Felix Frankfurter.

To all this, Richardson has specific answers. The general answer has been that he is a man who "measures his satisfactions by the scale of the possible," that "marginal pluses are always better than glaring negatives."

"I am irked," he says, "by suggestions that I am supposed to have subordinated principle to hold onto office. My answer is that I have drawn a line in my own mind, beyond which I will not go, and I work hard to avoid being forced over the line."

For instance?

"I was close to the line as assistant secretary of HEW during the Eisenhower administration. I actually wrote out a letter of resignation."

He had worked long and hard developing a program for substantial federal aid to education. Strong administration forces lined up against it. Richardson finally went to the crucial Cabinet meeting determined to quit if he lost. But there, at the last moment, he discovered an ally, a man who slowly, skillfully turned the meeting around until finally President Eisenhower said, "All right, send it up."

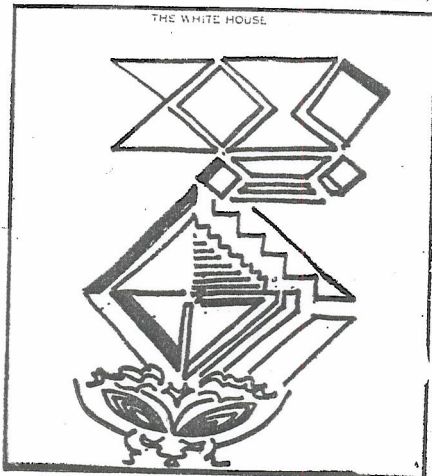
And who was that man? Richard Nixon.

As the man who is at least nominally in charge of the Justice Department's investigation of Watergate, which could conceivably result in criminal charges against Mr. Nixon, Richardson says he is satisfied with his current relationship with the President.

He has, he said, been able to maintain an "arm's length" distance from the White House in Watergate matters, as promised.

And his relationship with Spiro Agnew?

"Over the years, it has been cordial,



... is compulsive.

but not close, due to circumstance."

And with Archibald Cox, his old law professor at Harvard?

"Cox has so clearly established his independence as special prosecutor that I now see my role in his investigation as that of a communicator and, to some extent, a mediator between him and the Administration. In this sense, I'm the lawyer for nobody."

Cox' people say he is satisfied with his current relationship with Richardson, who said he would never fire the special prosecutor for anything except "extraordinary improprieties." Richardson apparently has kept his distance, as he promised the Senate committee which confirmed him, and is content with general briefings on the progress of the investigation.

Meanwhile, Elliot Richardson continues his marathon work days, 12 to 14 hours, works in his limousine to and from the office, lugs two briefcases home every night, where he works with one eye on a televised football game or one ear to a Beethoven sonata and somehow finds time to bird watch, swim, play tennis, fish and putter in the yard.

In his hour of decision, unlike Madame La Farge who knitted, Richardson doodles in heroic proportions—plants, bold geometric patterns, stars, landscapes, human heads and owls. ("He's very big on owls," says his secretary.)

He says his doodling is compulsive and helps his concentration. The night before he was summoned to the mountain top at Camp David to become secretary of defense, he dreamed he was doodling and clearly heard the President say, "Elliot, I don't believe I have your full attention."

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