

A VERY SPECIAL PROSECUTOR

Archibald Cox was visiting a law-school class in Berkeley just a fortnight ago when a student asked flatly if he expected to become the long-sought special prosecutor for Watergate. Cox—a highly respected Harvard Law School professor, Solicitor General under Presidents John F. Kennedy and Lyndon B. Johnson and a McGovern man in the last election—seemed amused. “I can think of only one person less likely to be asked, and that’s Earl Warren,” he remarked. “Anyone who is asked would be foolish to accept unless he was assured of complete independence.” Last week Cox was asked—and, after helping to draft the assurances he required, he took the job.

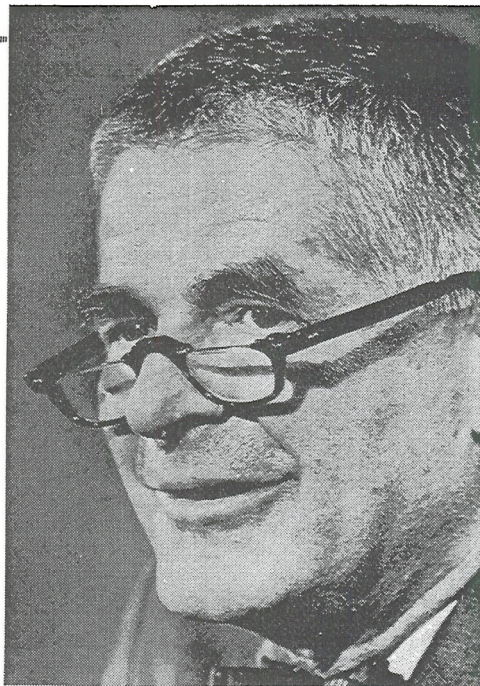
The selection of Democrat Cox, 61, by Attorney General-designate Elliot Richardson was something of a master stroke. It promised to clear the way for Senate approval of Richardson’s own bogged-down nomination and bring an infusion of unshakable integrity to the Administration’s sometimes-suspect handling of Watergate and related scandals. “Time and again he has been called to serve the public interest,” said Sen. Edward Kennedy of Cox last week, “and each time he has proven himself a man of brilliance, judgment and sensitivity.”

A graduate of St. Paul’s, Harvard

(history and economics) and Harvard Law (1937—magna cum laude), Cox first served as law clerk to Judge Learned Hand on the U.S. Circuit Court of Appeals in New York. Following a brief hitch with a prestigious Boston law firm, he moved into government—the National Defense Mediation Board in 1941, the solicitor general’s office at the Justice Department and later the Department of Labor. After World War II, Cox became one of the youngest men ever to hold a full professorship at the Harvard Law School. Among his students were both Richardson and Samuel Dash, the majority counsel for Sen. Sam Ervin’s special Watergate investigating panel.

John F. Kennedy found him a delightfully hard-boiled egghead as a campaign adviser, and named him Solicitor General in 1961. More recently Cox has served as Williston Professor of Law at Harvard. He was tapped for duty as a special mediator in the 1967 New York City school strike and as chairman of the five-man commission that investigated the bloody riots at Columbia University in 1968.

The Columbia experience was a rough one, but nothing like the delicate and demanding assignment that Cox now faces. At a news conference in Cambridge, Mass., last week, the straight-backed, crew-cut professor



Cox: ‘We must restore confidence’

took personal responsibility for investigating “all allegations involving the President, members of the White House staff or Presidential appointees.” It was simply not an issue that he felt could be ducked. “Somehow,” said Cox, “we must restore confidence in the honor, integrity and decency of government . . . I’m not sure anybody can do the job the way it ought to be done. All I can do is pledge my best.”

cuss the economy. He turned up smiling to present the first Presidential Citizen’s Medal to the widow of Pittsburgh Pirates superstar Roberto Clemente, posed for pictures with Ethiopia’s well-weathered Emperor Haile Selassie, held a 90-minute Cabinet meeting that skirted the Watergate crisis, and wound up the week delivering a brisk, chins-up Armed Forces Day speech beside the aircraft carrier

Independence at Norfolk Naval Base.

The closest Mr. Nixon came to confronting the Watergate problem head-on was a meeting in the Cabinet Room with Congressional leaders to discuss his plan to set up a seventeen-member bipartisan commission on electoral reform. But few in the Congress or the country seemed to think that such a study group would cut anywhere near the heart of the Watergate affair, and it was not at all clear that the commission would get off the ground. One of the legislators at the White House meeting sensed a disturbing air of unreality about the President’s attitude. “I came away feeling very uncomfortable,” he said. “It was obvious that he was trying too hard to appear normal, as if nothing had gone wrong.”

A Case of General Shell Shock

One didn’t have to look farther than the White House staff to see that something was very wrong and business was far from as usual. With the departure of H.R. Haldeman and John Ehrlichman (who vacated their offices and drew their final paychecks just last week) and the general shell shock prevailing among the survivors, Haig was left holding the besieged fort almost alone. “I would be hard put to say,” said one aide, “that anyone except Al is getting much done.”

Beyond the White House, the disarray was nearly as complete. The musical

chairs of Cabinet officers that had accompanied the Watergate scandal had left the Justice Department, the Defense Department, the CIA and the FBI all with new and mostly unfamiliar chiefs. At the second echelon, too, the executive gaps that Mr. Nixon had found it hard to fill even before the latest Watergate revelations were even harder to fill now. As part of his belt-up message, Goldwater complained that he had just visited the Pentagon and found that “the services are suffering, suffering from a lack of civilian direction because of vacancies not yet filled at the Secretarial levels.” And in the middle of the week, a new top-level vacancy occurred. G. Bradford Cook, chairman of the Securities and Exchange Commission, resigned after a Federal grand jury in New York reported that he had bleached all references to financier Robert L. Vesco’s \$200,000 GOP campaign contribution out of the SEC’s charges against Vesco.

The Administration’s most embarrassing vacancy, however, lay in a post that had not yet even been created. Elliot Richardson, the Attorney General-designate, had promised to appoint a special prosecutor to direct the Watergate investigation, and his confirmation hearings in the Senate were hanging fire until he found his man. The search proceeded in public view: for five days Richardson dangled the job before a succession of

The SEC’s Cook: Another casualty

