

# The Fearless Spectator

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## Remember Archibald Cox?

**I**F YOU ARE wondering if the Watergate scandal may have become a dead letter, forget it. Forget it good.

"The serpent that will gnaw out his vitals," is the way one eloquent lawyer friend of mine describes the mini-bureaucracy special prosecutor Archibald Cox has built up within the Justice Department to investigate charges of corruption in the Nixon Administration and turn over the findings to a series of grand juries.

As of last count Mr. Cox, who was John F. Kennedy's solicitor-general from 1960 to 1965, had a staff of nearly a hundred and a proposed budget of \$2.3 million for his first year of operation. He now has five task forces looking into: The Watergate break-in and cover-up, the activities of the White House plumbers, campaign financing, political espionage and the infamous ITT case.

Mr. Cox's guidelines constitute an extraordinary mandate, just about unprecedented in Washington political history. He has made it clear that "the special prosecutor will determine whether and to what extent he will inform or consult the Attorney General about the conduct of his duties and responsibilities." This means Mr. Cox really has the free hand that special prosecutors are always assured they have; but in fact never quite achieve.

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**M**ORE IMPORTANT to remember is that Mr. Cox is a Democrat, and a damned partisan one



at that. His staff contains only a handful of Republicans. Twelve key members have had connections with the Kennedys in the past. While it would not be good taste to say that the prosecutor and his staff are out to get Mr. Nixon, it is hard to see how the truth could be otherwise. Mr. Nixon himself appears to think so. As someone has observed in the context, even paranoids have enemies.

It is good to remember the climate when Mr. Cox was named to his job. The Nixon house of cards was tumbling down. It got so bad that political strategy, after the testimony of John Dean, dictated that everybody should get the shiv except the Pope.

Mr. Elliot Richardson, who has an honest name, and an honest face, and is a Boston brahmin and therefore in theory automatically above the sort of trickery practiced by the Santa Barbara-Pasadena mafioso, was called in to lend an odor of sanctity to the White House corpse. Richardson apparently chose Cox on the theory that if Cox could exculpate Mr. Nixon, the President had to be clean as boiled rice and much nicer to look at.

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**T**HAT LOGIC may be just too good to be true. Up to now, Mr. Cox has been about as visible as a beaver, and about as occupied. When those grand juries start to send up their indictments, there will be proper hell to pay, no matter what the courts decide about Mr. Nixon's famous tapes.

The scum that surfaced with Watergate will continue to pollute the public gaze for months and even years to come. Mr. Cox has made it clear he does not share Mr. Nixon's holy view of himself — that his sins are not those of other men, that the Constitution was specially drafted to keep him out of jail if he should do something that would put other men behind bars.

If Mr. Nixon has been obstructing justice, and that is the large unwritten charge before the American people, the former Harvard Law prof would seem uniquely the man to nail him to the mast.

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**T**HE ONLY THING that can stop Mr. Cox would be pressure from Mr. Nixon to have Mr. Richardson sack him. This is just about the one thing that Mr. Nixon doesn't have the political chutzpah to attempt. Such a move would mean the cover-up of the cover-up. That would be just too much. It might end up with the President being hanged by his own tight-rope.

When Mr. Cox took over as special prosecutor he said, "I hold the whip hand." I'd say so, and would add that Watergate may sink Mr. Nixon yet.