

## Independent Inquiry

The most urgent need in the Watergate investigation is a special prosecutor chosen by the judicial branch of the Government and known to be totally independent of the Nixon Administration.

Leon Jaworski, whom President Nixon has named as special prosecutor, takes office on the same terms and with no greater protection than his predecessor, Archibald Cox. Mr. Cox had been assured that he would have a free hand and that the Attorney General would dismiss him only if he were guilty of "extraordinary improprieties." But the Attorney General and the Deputy Attorney General resigned and Mr. Nixon managed to fire Mr. Cox with no mention of any "extraordinary improprieties."

The White House has assured Mr. Jaworski that he will not be fired unless a consensus of eight leaders of both parties in the House and Senate supports such action. But what recourse has Mr. Jaworski if the President ignores that consensus as he ignored the need to prove impropriety in the case of Mr. Cox?

Moreover, notwithstanding Mr. Jaworski's personal and professional merits, the public cannot have confidence in an investigation of the Nixon Administration conducted by any individual chosen by the White House. In this respect, Mr. Jaworski shares the same plight as Assistant Attorney General Henry Petersen, who was in charge of the Watergate inquiry until Mr. Cox was appointed. Mr. Petersen has an excellent reputation as a tough and honest prosecutor but he had to step aside, and Mr. Jaworski should do the same.

The House Judiciary Committee has reported a bill to establish a court-appointed special prosecutor to be chosen by a panel of three Federal judges. None of the three judges on the panel would subsequently be available to preside in any cases brought by the prosecutor, thereby preserving a desirable distance between the judicial and prosecutorial arms of the Government.

A companion bill meanwhile faces an impasse in the Senate Judiciary Committee, which yesterday agreed to take a final vote a week from today. As of now the committee appears to be divided 8 to 8. There is little likelihood that Senate action can be blocked indefinitely, but it is highly desirable that the bill pass with strong bipartisan support in order to impress upon President Nixon that the Congress and the country will no longer tolerate a cover-up.

The firing of Mr. Cox was a shocking violation of the gentleman's agreement between the White House and the Senate. The Watergate scandals are inflicting grievous damage upon the Republican party. If the Republican members of the Senate are mindful of their party's interests, they will recognize that the White House cover-up has gone on for too long. The public has a right to an independent prosecutor.