

Cox Likens Tactics Of Watergate Panel To McCarthy Era

NYT

6-12-74

CAMBRIDGE, Mass., June 11 (AP) — Archibald Cox, the former special Watergate prosecutor, today compared some of the tactics of the Senate Watergate committee to those used by the late Senator Joseph McCarthy in the nineteen-fifties.

In a speech to the Harvard chapter of Phi Beta Kappa, Mr. Cox also criticized intellectuals and the press for not pointing out these similarities and for not denouncing them.

"Should not the same objections be raised when the staff or possibly some members of the Ervin committee leaks the result of incomplete investigation, gives out the accusatory inferences it draws from secret testimony and even releases proposed findings of guilt upon men under indictment and awaiting trial?" Mr. Cox asked.

"Procedural fairness does not depend on whose ox is being gored," he added. Mr. Cox maintained that "institutional questions (of impeachment) are important" and should be presented of law at Harvard said one of the institutional questions arising from impeachment was "our confidence in our institutions."

He said this meant that our "self-confidence hangs in the balance, adding, "The manner in which the proceedings are conducted — the role of reason, the degree of impartiality, the degree of effort to achieve justice — will affect our self-confidence far more than the ultimate vote."

Professor Cox warned that the House of Representatives must get the evidence it wants in its inquiry on impeaching the President if the process of impeachment was to survive as an institution. Impeachment, he said, must be approached with the detachment of a scholar and not out of partisan concerns.