

Watergate (Cont.)

In the wake of further revelations about secret, illegal political slush funds running into many millions of dollars, Charles Ruff, special Watergate prosecutor No. 4, has rightly reopened the investigation into corporate subversion of the federal government.

Specifically, his action was triggered by disclosures that the Gulf Oil Corp. not only covertly poured undercover money into the Nixon 1972 re-election campaign, but that over the years it also handed out untold sums to Democratic as well as Republican leaders.

Ruff is said to be on the point of laying the evidence before a federal grand jury. Better late than never. But why not long ago? Where were special prosecutor No. 3, Henry Ruth, and special prosecutor No. 2, Leon Jaworski? With their almost unlimited power and resources, why didn't they flush out the true extent of Gulf's effort to buy influence? There were plenty of leads to work on. The new evidence has emerged incidentally through a civil suit against Gulf by the Securities and Exchange Commission.

Meanwhile, friends and fellow staff members of Ruth have been publicly rushing to his defense. In letters to the press they charge that the criticism of him "constitutes an unfair attack." One apologist, Philip Lacovara, served as a top assistant to both Jaworski and Archibald Cox, special prosecutor No. 1.

Lacovara in the past has been critical of Jaworski, but he defends Ruth on the grounds that he was only "given the task of wrapping up" the Watergate investigation. It is true that Jaworski, when he resigned in October 1974, suggested that his task was largely done. But that self-serving statement was not binding on his successor, who had full powers and a congressional mandate to carry on to the best of his ability.

John S. Barber, a press spokesman for the special prosecutor's office, also points out in defense of Ruth that Jaworski said he was resigning "because the bulk of the work had been completed." "No one," Barber adds, "argued with him, and he was, in fact, right."

Well, as can be seen, the work was not completed, and, contrary to Barber, there was a lot of argument over it at the time of Jaworski's retirement. The first headlines were: "Congress Surprised, Dismayed." The New York Times editorialized, "Jaworski is leaving office under conditions that border on desertion of duty

... The plain fact is that the job he was appointed to do is not yet done. . . ."

Archibald Cox also said, "I don't think the job is finished." Samuel Dash, chief counsel for the Senate Watergate Committee, said he was troubled because of the high importance of completing the work of the special prosecutor in a way that would win and hold public confidence.

Sharper critics, like Anthony Davis, assistant dean of New York Law School, said, "History will not be kind to Leon Jaworski It is hard to see how he could have done less during his tenure." The director of a Ralph Nader task force challenged Jaworski's "largely done" claim in this fashion:

"The ITT task force has produced almost nothing, the campaign finance group has barely scratched the surface and at least three separate investigations—the tapes erasure, the Hughes-Rebozo matter, and possible fraud in the preparation of Nixon's income tax return—remain incomplete."

Even Lacovara can see that "Ruth's function as a special prosecutor was to pursue investigations thoroughly. . . . " The complaint is that he didn't. In the words of Rep. Elizabeth Holtzman (D-N.Y.), a member of the House impeachment committee, the special prosecutor's final report "raised more questions than it answered, and didn't answer any of the old questions."

Serious students of criminal justice are troubled over the extreme degree of plea bargaining practiced by the special prosecutor's office. Without exception, all of the corporation executives indicted for illegal campaign contributions have gotten off without a day in jail.

Moreover, there is some question over how many would have been prosecuted at all if, out of fear, some had not confessed in the hope of light punishment. Indeed, it was Common Cause, not the special prosecutor, which scored the breakthrough on corporate slush funds by forcing the Nixon White House to disclose its list of campaign contributors.

The Wall Street Journal, wise in the ways of business, was moved to ask whether, out of the thousands of corporations in this country, there are only a handful who have "violated the federal law forbidding a company from taking money from its treasury and handing it over to office-seeking politicians?" It's a nice question for Ruth and Jaworski.