

Burger's Court Is Like King Arthur's

By Jack Anderson

Since Warren Burger took over as Chief Justice, it's getting harder and harder to tell the Supreme Court from King Arthur's Court.

The redoubtable Chief Justice, with his pompadoured white mane combed back and his black robe flowing, may not be the court's best legal scholar. But he's tops in handsomeness and high-handedness.

For example, he has now annexed to his personal offices the court's conference room, the inner sanctum where the Justices meet in secret to thrash out their decisions. He has even installed a desk so there can be no mistaking that the court convenes in Burger's lair.

The Chief Justice also has a length of gold carpet rolled out for the august jurists to cross as they make their way through a rear hallway to take their seats on the bench.

Not surprisingly, the court's budget requests are on the rise. This year, the Burger court wants nearly 20 per cent more money than it got last year.

Among the requested items are \$5,000 to give the Chief Justice a budget for entertaining for the first time in history, another \$8,000 for automatic floor-cleaning equipment.

It would be unfair to say that Burger is being stingy

with the grandeur, however. He has also asked Congress for \$6,000 to rent cars for all the other justices for the first time.

Such requests do not normally meet enthusiastic approval from the tight-fisted curmudgeons who head the House appropriations subcommittees. But Burger — like previous chief justices — does not stoop to appear before them to explain his budget.

Jurists on Carpet

This year, Potter Stewart and Byron (Whizzer) White got the undesirable assignment and were given the accustomed going over by Brooklyn's John Rooney, one of Congress' irascible geezers.

Told by Stewart that the Chief Justice had already shelled out \$2,000 from his own pocket for entertaining, Rooney snapped:

"Well, I daresay there is not a member of the Congress who does not spend far in excess of \$2,000 a year to entertain the people who call upon him . . . What is the salary of the Chief Justice and does he not get an automobile and a chauffeur?"

"His salary is \$62,500 and he does get an automobile and a chauffeur," replied Stewart.

"And he could not absorb this?" said Rooney.

"I am sure he could absorb it, Mr. Chairman, as he has," conceded Stewart.

Much more disturbing than

his silly pursuit of baronial splendor, however, have been some recent signs that the Chief Justice may be a jurist of severely limited abilities.

During the historic court clash between the government and The Washington Post and New York Times, for example, Burger asked some questions that indicated he didn't know what was going on.

At one point, he reminded The Washington Post's lawyer, William Glendon, that The Post apparently acquired the famous Pentagon papers by illicit means.

He then brought up an old legal doctrine that frowns upon anyone's seeking redress from a court ("coming into equity" is the legal expression) when their own hands are not clean.

Glendon patiently informed the Chief Justice that The Post had not "come into equity," but had been brought in "kicking and screaming" by the government.

Later, Burger was informed that both newspapers had refused to produce the documents in their possession because they felt it might give away their source.

The press' right to protect its sources is a major constitutional question that the court has agreed to rule upon this fall.

Burger seemed oblivious to this, however. He acted shocked when he heard that the lower courts in the Times-

Post case had upheld them in refusing to produce the papers. "He let that (the constitutional question) override the federal rules of civil procedure on discovery?" Burger blurted.

Not even the most shallow federal judge would take the view that a constitutional right is less important than the federal rules of procedure. But Burger apparently thinks they are.

Missile Fishing

We have studied Coast Guard maps which show the movements of Russian fishing trawlers off the East Coast.

Not a single Soviet trawler ventured as far south as Delaware in 1968-69. Only one was spotted in Delaware-Maryland-Virginia waters in 1970. But already in 1971, 25 Soviet trawlers have suddenly taken an interest in fishing in the vicinity of Wallops Island, Va.

This coincides suspiciously with the testing of experimental missiles at Wallops Island. The trawlers are known to be equipped with sophisticated electronic and sonic gear that can monitor our ships, submarines and shore facilities.

The maps show as many as 400 Soviet trawlers off the East Coast at one time. We spoke to a Coast Guard pilot who recently flew over a Russian trawler with a camera. When his film was developed he had a picture of a Russian taking a picture of him.

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