

Ford
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The Needs of the Justice Department

EXCEPT FOR the presidency itself, no part of the federal government has been as severely bruised by the events of the past two years as the Department of Justice. Despite some individual heroism on the part of some of its leaders and lower level civil servants, its reputation for even-handed enforcement of the law has been tarnished, its internal processes have been abused, and its integrity has been put in doubt. As a result, the need to restore stability and public confidence in this department are the major factors President Ford ought to weigh as he picks a successor for Attorney General Saxbe.

You need only to look at the record—at what has happened to attorneys general over the past two years—to understand why this nomination is so important to the Ford administration's capacity to break fully with the past. John Mitchell, who resigned in 1972, is now on trial in the Watergate coverup case. Richard Kleindienst, who resigned in 1973, has pleaded guilty to failing to tell a Senate committee about Mr. Nixon's intervention in a major antitrust case. Elliot Richardson, who refused Mr. Nixon's demands that he fire special prosecutor Archibald Cox, was forced to resign by Mr. Nixon in the fall of 1973—along with Deputy Attorney William Ruckelshaus. And Mr. Saxbe, after a difficult and not very impressive 13 months in the Department, is now resigning to become Ambassador to India. Not since the 1920s when Harry M. Daugherty was ousted as Attorney General has the Department of Justice gone through such a period of internal turmoil.

At that point in the nation's history, President Coolidge

found in Harlan Fiske Stone, then dean of the Columbia University Law School, the kind of integrity and intelligence needed to earn renewed public faith in the administration of justice. So it is understandable and commendable that President Ford is apparently looking towards the law schools for a successor to Mr. Saxbe. In our view, the selection of someone with that kind of background, like Edward H. Levi, who appears to be the President's choice, would be a major first step in putting the Department of Justice back on the tracks. This is the time when the department needs to be relieved of the political baggage that all too many attorneys general have brought to it in recent years.

Indeed, it is unfortunate that several recent Presidents have used the Department of Justice as a parking place for those who helped them get elected. Mr. Mitchell, of course, was Mr. Nixon's chief campaign aide in 1968. Robert Kennedy was rewarded with the Attorney General's job after running John F. Kennedy's campaign in 1960. Herbert Brownell moved from Mr. Eisenhower's campaign to the Attorney General's office. And Harry Truman found a spot there for J. Howard McGrath. Mixing politics with the administration of justice is always dangerous and, even if a couple of these appointments did work out well, the practice is a bad one. It appears that Mr. Ford recognizes this and in seizing this opportunity to make a great appointment—not a political one and not an interim one but one that can convince all Americans he is sincerely seeking honesty and integrity in government.