Mitchell Calls for End Of Attacks on Court

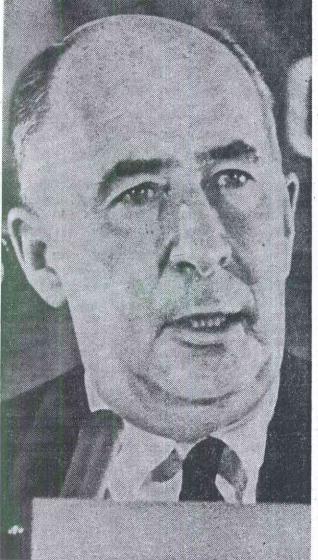
By John P. MacKenzie Washington Post Staff Writer

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ture from past practice, called in a Law Day speech. yesterday for "an end to irresponsible and malicious criti- trict Bar Association was cism" of the United States warmly applauded by 2,500 Supreme Court.

The speech before the Dis persons at the Sonesta Hotel.

"Extremist critics of the But several lawyers in the court have vastly overreacted" audience commented after- obscenity,



Associated Press

Aattorney General John N. Mitchell: "Extremist critics of the court have vastly overreacted."

of the basic principles enuncipyesterday's speech and the ated by the court have proved vigorous criticism of Supreme Attorney General John N. to be the best course for the Court decisions by President Mitchell, in a marked depar- nation to follow," Mitchell said Nixon in his 1968 campaign, was managed by which Mitchell.

The attorney general listed controversial decisions of the Warren Court on school desegregation, school prayer, reapportionment, to court decisions but "most ward on the contrast between counsel for defendants and confessions and said, "I do not believe that any lawyer here, or any responsible citizen in this country, does not agree with the fundamental principles" of these decisions.

Miranda Case Cited

Mitchell noted that the Supreme Court "did not say" in the 1966 Miranda v. Arizona confessions case that a lawyer must be present whenever a suspect is questioned or that Congress could not legislate on the subject.

In 1968, Mr Nixon said that the Miranda decision had "the effect of seriously hamstringing our peace forces in our society and strengthening the criminal forces."

In reply to a reporter's question, Mitchell said the Nixon campaign statements, if read in context, would not appear to be attacks on the high court. He said the President never has attacked the court as an institution, only some of its rulings.

Mitchell said the court had been steeped in controversy from the beginning of American history. "Inevitably," he said, "controversies over the court and its role have been reflected in debates about nominations to the court, 20 per cent of whom were rejected."

Refers to Nominations

He referred a second time to the disputes over two defeated high court nominations as he told the bar, "recent events have imposed upon me the obligation as attorney general to give my own defense of the Supreme Court." He added:

"It seems to me that much of the popular dissatisfaction is ill-founded or maliciously motivated and that more people, especially we who are lawyers, should point this out and come to the defense of the court."

Citing a recent poll indicating that the Bill of Rights is in low repute, Mitchell said "perhaps many people really disagree with the Constitution and not the court... If this poll is an accurate sampling of our nation, I believe that we as lawyers have failed the court."

Mitchell listed several things which he said "the Supreme Court did not say" despite popular misunderstanding of its pronouncements. "It did not say that private persons may not discriminate within the circle of their family, friends or social activities" or that juveniles may be subjected to pornographic material, he said.

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