



David Broder

# Misunderstood John Mitchell Is Sad Sight at a Merry Time

CAMBRIDGE, Mass. — In this season of joy, surely the saddest sight in America must be poor John Mitchell, the much misunderstood Attorney General of the United States. Who is there so stony-hearted that he was not moved by the interview in Sunday's New York Times, where Mr. Mitchell told how unfairly he had been treated by the Negro leaders of this country.

"Time and again, Mr. Mitchell said," according to the Times, "he has met privately with Negro leaders and has found them well-satisfied with the administration's programs. Then . . . the same spokesmen go out and make public statements denouncing the same efforts."

It is enough to make a strong man weak, but it is not just the blacks who have betrayed Mr. Mitchell's trust this year. Indeed, as one looks back on the splendid saga on the Nixon administration's first year in Washington, it is evident that John Mitchell is the one man in it who has real cause for complaint.

Mr. Mitchell, you will recall, came to his post after a distinguished career as municipal bond lawyer in Wall Street—and the innocence, the good will, and straight dealing that characterized both the law and high finance perhaps left him peculiarly vulnerable to the cynicism of the political world he entered so reluctantly.

Washington has been hard on John Mitchell. It was just last March 13 that he made his first appearance before the House Judiciary Committee, an eager good-natured fellow come to explain why it was unwise and impractical to let the people of the United States elect the President of the United States. Although he made what every fairminded person agreed was a compelling argument the committee to abolish the electoral college.

THE HOUSE passed the

amendment, 339 to 70, and then Mr. Nixon, who everyone knows would never have been nominated or elected without the good advice and help Mr. Mitchell gave him as campaign manager, betrayed his trust by endorsing the very proposal Mr. Mitchell had proved was foolish and unwise.

Sadly, this was not the only example of rank in gratitude John Mitchell was to experience in 1969 from those he had placed in high office. When he found Warren E. Burger in some obscure part of the federal judiciary and convinced Mr. Nixon to name him Chief Justice, what did this ungrateful man do to show his appreciation? On the very

first important case Mr. Mitchell brought before him—a case where Mr. Mitchell was trying to help his Negro friends by delaying desegregation of the Mississippi schools for another year, Chief Justice Burger ruled he was wrong.

And as if that were not enough, he convinced all the other justices to go along with him, just to spite Mr. Mitchell. And then that other "friend" of Mr. Mitchell's, the President, turned right around again and sided with the Supreme Court and said the decision would be enforced, even though Mr. Mitchell had already proved to any fairminded person that it was unenforceable.

Most men would have quit in disillusionment right then, but John Mitchell tried once more. There was another vacancy on the Supreme Court, and this time, after searching the whole federal judiciary, he came up with Clement Haynsworth. He was a wonderful man, and even the doorman at the Watergate told Mr. Mitchell he was "well satisfied" with the choice.

BUT THREE of those

nasty Republican leaders of the Senate got together with some Democrats and they very unfairly persuaded 52 other senators to reject Mr. Haynsworth. People said it was the first time in 39 years someone had been rejected for membership on the Supreme Court, but then, it had been at least that long since an attorney general as innocent and trusting and goodnatured as

John Mitchell had been picking the justices.

December was a little better, because the House of Representatives knew Mr. Mitchell was right when he said they ought to scrap the old voting rights act, which had failed to enroll more than 800,000 Negroes in four years, and approve a new law, which would be a lot better. There were some soreheads—like that terrible Father Hesburgh of Notre Dame who has been on the Civil Rights Commission so long he has picked up all kinds of foolish notions and that Representative William McCulloch of Ohio, who wrote the civil rights plank at the 1964 Republican convention and other things even more radical than that.

They tried to convince the House that Mr. Mitchell's plan wasn't as good as the law on the books. But fortunately the real friends of civil rights, like the entire delegations of Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina and South Carolina and Virginia, believed Mr. Mitchell and voted for his bill. (And don't anybody think that it was part of this "Southern strategy" the papers keep blaming Mr. Mitchell for, because all the congressmen from Nebraska, New Mexico, Nevada, Utah and Wyoming voted for Mr. Mitchell's bill, too, and no one can say they're in the South.)

With good support like this, the Mitchell bill won by five votes, but even so, it hurt Mr. Mitchell to have men like that Rep. Clark MacGregor from Minnesota vote against him, after he went all the way out to that state to endorse MacGregor against a liberal Republican candidate for the Senate.

IT'S THAT KIND of thing

that is so disillusioning It's no wonder the Attorney General told the man from the New York Times those black leaders and other civil rights fellows cannot be trusted. "What the hell do you expect them to do with this administration, get up and cheer?" he said, and you know Mr. Mitchell would never use profanity in the New York Times unless he was really upset.

So, even though there are a lot of good causes asking for help at Christmas you might think about making a little gift to the fund we're starting to send Mr. Mitchell back to Wall Street, before all his remaining ideals and hopes are shattered.

Back in municipal bonds he would find there are still people like himself who never mislead, never exaggerate or doublecross their friends. It would make him happy and it might make the new year happier for everyone.