

The Saxbe Scandal

Part 4/21/74

MARTHA MITCHELL in her heyday was as nothing to Attorney General William Saxbe; outburst for outburst and indiscretion for indiscretion, he makes her look like Calvin Coolidge. Except it isn't marginal and it isn't funny: Mr. Saxbe is the Attorney General of the United States. What he says has great consequence, both as it reveals the mind, character and quality of the chief law officer of the land and as it affects important events in the world outside him. On the first of these counts Mr. Saxbe seems determined to demonstrate that he is irredeemably superficial and reckless—and not especially bright into the bargain. How else can one account for the sheer volume of his output of inept and irresponsible remarks? The Attorney General himself likes to pass off his incredible indiscretions as the vaguely amusing result of an outspoken, plain "country boy" manner. But none of it has really been all that endearing, let alone "cute"—and it is getting less endearing every day.

Consider some of the examples. Where does one begin? With the use of the term "Nazi" to characterize Messrs. Haldeman and Ehrlichman? With the profoundly unfair and offensive references to Jews? ("If the Zionist Jews believe we are going to fight to the last drop of farmers' blood . . ." and—recently—the remarks about "the Jewish intellectual" who, as a type, had been "very enamored of the Communist Party," an observation Mr. Saxbe made even more offensive with a subsequent explanation that this was no longer true "because of the Soviet posture toward issues of importance to Jews.")

There is all that and more, and yet the mind moves irresistibly to Mr. Saxbe's evident fascination with kidnaping. As Attorney General—the man in charge of the FBI, the presumptive bringer of charges against kidnapers who are caught, and the man whose discretion is perhaps more important than that of anyone else in government in these matters—Mr. Saxbe has every reason to treat both his secret knowledge and his personal expressions with care. And yet he has an irrepressible desire to sound off, to blab. May we remind you of the way in which the kidnaping of a young American diplomat, John Patterson, in Mexico came to public attention? The news story of March 28 says it all:

"The kidnaping first became known publicly when Attorney General William Saxbe mentioned at a morning press conference in Washington that he was postponing a trip to Mexico because a consular officer had been kidnaped. After that, U.S. officials in Washington supplied details—including information that secrecy had been imposed as one of the terms laid down by the kidnapers."

Mr. Saxbe's recklessness in this matter caused great

pain and anguish to the family of Mr. Patterson. His apparent need to provide a running commentary of hints, guesses and opinions concerning the case of Patricia Hearst can hardly be said to have caused less pain and anguish to hers.

Fearing for the safety of their daughter, baffled by the mixed messages they have received and sorely wishing for her return, the Hearsts of course have had special reason to be anguished by the Attorney General's careless and untimely observations. First he let it be known that he thought the F.B.I. should break in and try to get her as soon as they discovered where she was. That statement was made early on and during delicate negotiations and it revealed—among other things—that the F.B.I. in fact did not know where she was. Mr. Saxbe's subsequent airing of his hunch that Miss Hearst was in collusion with the so-called Symbionese Liberation Army and was thus "part" of what he called a bunch of "common criminals" was at least as uncalled for—and at least as deserving of her parents' reproach and despair. But those of us who do not have so personal and immediate a stake in the outcome of this awful business, have fully as much reason to be outraged. Mr. Saxbe is our chief law officer. He is conducting this vaudeville act in our name. He is the man meant to inspire public respect for the law and confidence in those who enforce it.

That the Attorney General himself is aware of all this is a demonstrable fact. "When you're in a quasi-judicial, judicial or prosecutorial position," he told an interviewer last winter, apropos of his resolution to behave, "you have to be more careful about what you say." But since then we have had a new onrush of injudicious and damaging burbles. Does that mean that the man who is in charge of our federal law enforcement machinery is not in charge of his own momentary and reckless impulses? Does it mean he doesn't take his job very seriously, or perhaps doesn't even really understand what it entails? Is the Attorney General who ventured to call a group of suspects "common criminals" aware of the pre-trial publicity implications of his remarks? Or doesn't he give much of a damn how or whether the people he has so characterized are apprehended and brought to justice?

In another day and time and absent the weird and unprecedented political condition of the administration in office, Mr. Saxbe's performance would be center stage, and his fitness for the office he holds would be the subject of official inquiry. At a minimum, it seems to us, Mr. Nixon's fourth attorney general deserves to be called back to the Senate Judiciary Committee that recommended his confirmation. There are questions to be asked—and answered.