

Scandal in Justice

The Senate Judiciary Committee's inquiry into Deputy Attorney General Richard Kleindienst's involvement in the settlement of the I.T.T. antitrust case has cast startling light on the conduct of the Justice Department during the Nixon Administration. What has been revealed is a fragmentary but dismaying picture of influence-mongering and political fixing at the highest levels of government.

The inquiry began after columnist Jack Anderson printed portions of a confidential memo by Mrs. Dita Beard, an I.T.T. lobbyist, indicating a link between the settlement of the antitrust case and I.T.T.'s promise to defray a large part of the cost of the next Republican National Convention. I.T.T. and the Administration, working singly and in concert, then engaged in a systematic campaign to discredit Mrs. Beard. That campaign has been a fiasco because this controversy does not pivot on her words, written or oral.

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Independent of anything Mrs. Beard did or did not write in the memorandum, it has been incontestably established by independent testimony that I.T.T. through a subsidiary offered a large payment—variously described as \$200,000 or \$400,000 or \$600,000—to help finance the San Diego convention. This arrangement coincided with the antitrust settlement. Although Richard McLaren, then the Assistant Attorney General in charge of antitrust matters, and two of his top associates had wanted to litigate the case before the Supreme Court and were confident of victory, a consent decree on terms favorable to I.T.T. was instead arranged.

It has further been established that Peter Flanigan, a senior White House aide, recruited Richard J. Ramsden, a private investment banker, to draw up the economic report justifying the settlement. Mr. McLaren has testified that Messrs. Flanigan and Ramsden played the same roles in arranging the settlement of an earlier case involving another conglomerate, Ling-Temco-Vought. In each instance, the settlement defeated the exact purpose which the Government had sought in filing the suits. That purpose was to obtain a definitive Supreme Court interpretation as to whether the Clayton Act applies to conglomerate mergers.

Mr. Kleindienst, after publicly denying last December that he had anything to do with the I.T.T. settlement, has now testified that he conferred several times with an I.T.T. director and set up a meeting of Government and I.T.T. officials which he attended. Former Attorney General John Mitchell, after publicly asserting that he had withdrawn from any participation in the I.T.T. case because of his past associations with the firm, has now testified that he conferred with the president of I.T.T. to discuss antitrust policy.

For their part, I.T.T. officials have confirmed that as soon as Mrs. Beard's memorandum was published, they shredded many documents in the firm's Washington office including some which related to the antitrust settlement and the financing of the Republican convention.

On the basis of these facts, the three central questions are these—

How did huge corporations struggling to control billions of dollars in assets successfully bring their influence to bear at the White House and the Justice Department? What is the connection between their success and political contributions involving hundreds of thousands of dollars which have been made to the party in power? Has perjury been committed by one or more witnesses?

Nothing but the most vigorous and searching investigation of the Mitchell-Kleindienst administration of the Justice Department can now satisfy the public interest. It is an insult to the people's intelligence for Senator Hugh Scott, the Minority Leader, to deride the Judiciary Committee's hearings as "jackassery" or for Republican members of the committee to try to hush them up. Silence and whitewash will not do. It is essential to subpoena the relevant files of I.T.T., of L.T.V., and of other corporations such as Warner-Lambert involved in major antitrust cases as well as files of the Justice Department itself. What is at stake is not one man's nomination or one woman's character but the integrity of the nation's justice.