

Most in Capital View Mitchell As Man of Pre-eminent Power

Few in Nixon Administration
Are as Broadly Involved in
Government's Activities

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President and Mrs. Lyndon B. Johnson were waiting at the South Portico of the White House one morning last November to welcome the new tenants on their first visit since the Republican election victory.

A black limousine drew up. From it stepped President-elect and Mrs. Richard M. Nixon and, to the surprise of the host and hostess, a dour, dark-browed, full-faced man, hard on the heels of Mr. Nixon.

It came as no surprise, then, when the outgoing President later expressed the opinion that John Newton Mitchell, a campaign manager still a month from being named Attorney General, would be the top man of the political flock that Mr. Nixon would bring to Washington with him.

Nearly nine months have passed, and that view, expressed variously in terms of admiration, awe or naked hostility, has become widespread in the capital. Many cannot agree on what kind of man Mr. Mitchell really is, but most mark him as a figure of pre-eminent power and influence in the new Administration.

Examples of Role

It was Mr. Mitchell, more than any other single adviser, who moved the President toward the nomination of Warren E. Burger as Chief Justice of the United States. It was Mr. Mitchell who was largely responsible for including the controversial preventive detention concept in the Administration's first crime legislation.

It was the Attorney General who was charged with shaping the President's voting rights proposal to fulfill campaign promises Mr. Nixon had made in the South against regional legislation. It was Mr. Mitchell who set the Administration policy of greater willingness to wiretap—and then reduced the level of surveillance.

Few men are as broadly involved in the activities of the Administration. Presiding over the Justice Department, with its highly sensitive crime, civil rights and civil liberties problems, is only a very small part of what Mr. Mitchell does.

He sits on the Urban Affairs Council, with its multiple concerns in housing and welfare. He is a member of the National Security Council, and his foreign policy discussions with the President go far beyond internal security problems. He receives daily briefings from the Central Intelligence Agency.

Mr. Mitchell talks to the President on the phone once or twice a day on the average, sees him two or three times a week. It is difficult to gauge



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John N. Mitchell

these things, but there is probably no top-level generalist in the Administration who is continuously closer to Mr. Nixon, except for the White House staff lieutenants like John D. Ehrlichman and H. R. Halde-

man. Most efforts to sum up the Mitchell influence so far have tended to categorize the Attorney General as a major conservative influence on the President, but this is a role that he himself rejects with some asperity.

Calls Himself a Pragmatist

In the Republican ideological spectrum, Mr. Mitchell puts himself somewhere in the middle, certainly not on the right. To avoid such fuzzy identification, he prefers to call himself a pragmatist, a Nixonian problem-solver unfettered by abstract philosophical considerations.

But there is a clear air of procedural and personal conservatism about the man. His aides describe him as instinctively cautious and slow-moving, rejecting precipitate change, likely to resist efforts to modify a program once it has been worked out.

As a man, he tends to be remote and rather stern in public situations. Testifying at Congressional hearings, he refuses to indulge in the sort of mutual jolly that passes for humor on Capitol Hill. One member of the House Judiciary Committee swears it took three appearances for Mr. Mitchell to smile once.

He even rejects assistance proffered by friendly Republicans at such hearings. One Representative, trying to counter Democratic cross-examination, summarized the Mitchell argument and asked if that wasn't what the Attorney General had meant.

"That's what I said," Mr. Mitchell replied.

This dry approach is also in evidence when Mr. Mitchell has something pleasant to say. Late in 1968 during the Presidential transition, he was thanking a law school professor for sending some bright graduates to the Broad Street firm where he had served with Mr. Nixon.

"I hope your replacement will continue this policy," Mr. Mitchell observed. It was the first news the professor had received that he was to be offered a sub-Cabinet post in the Administration.

Some of the men closest to Mr. Mitchell dispute the currently popular view that he lowers the temperatures in any room he enters.

"He is really a very warm and personal fellow," one of them said. "He just isn't a bleeding heart. It's true that he

tends to keep people at arm's length, but that's because he likes to play his cards close to his chest."

The Attorney General is not overjoyed that he seems to have been cast as the heavy in the unfolding Nixon drama, but he assumes philosophically that every Administration demands one. He just wishes that each profile would stop repeating all the "bad guy" anecdotes of its predecessors.

Mr. Mitchell is not above increasing the supply of such stories himself. At a recent news conference, he was asked if he agreed with the thesis of an expanding national Republican coalition developed in a new book by one of his Justice Department assistants.

"I don't really have a practice of subscribing to the theories of my aides," he replied. "It generally works the other way."

Predictably, reaction to Mr. Mitchell at the Justice Department is mixed. Some of his top associates praise the way he operates the shop like a law firm, throwing out questions to meetings of division heads on the theory that the law is not so specialized that any one of them cannot contribute ideas.

The Attorney General has not made any sweeping personnel changes. He retained three of the eight assistant attorneys general and a number of bureau heads, including the sacrosanct J. Edgar Hoover. Aides estimated there are only about 50 new Republican faces on the staff of 1,000.

At the higher civil service levels, there is some grumbling about secrecy and a lack of communication. One lawyer complained that Administration program bills, like the preventive detention measure for the District of Columbia, were being hatched in private, rather than being fully circulated in the department.

The Mitchell personality seems to have fared better at Justice than elsewhere. One lawyer observed, "He's warm and cuddly compared to Katzenbach."

Lobbied for Legislation

Sensitive over accusations that the Administration's voting rights and school desegregation programs have been tailored to please the South, Mr. Mitchell denies that any political considerations are weighed at the Justice Department, except perhaps where winning Congressional support may be involved.

But there is no question that the Attorney General is a political adviser to the president,

and the role of politician is not one he declines. Although the 1968 Republican campaign was his first official work in the field, his highly specialized law practice actually had given him a good deal of practical background.

For most of Mr. Mitchell's career in the law has involved handling public bond issues all over the country. Long before his first campaign, he had worked with governors, state legislators and party leaders, lobbying for enabling acts, behaving altogether like a seasoned politician.

To deny that the Administration is developing a "Southern strategy" in office leading up to the 1972 election, the Attorney General likes to argue that there was really no such thing in 1968. All the Nixon forces did, he says, in the words of Barry Goldwater, was to "go hunting where the ducks are."

The Nixon campaign, its manager insists, was formed more by circumstance than conscious plan, with its attention focused where people would vote for a Republican candidate. Fortunately, he said, this approach coincided with what Mr. Nixon believed and his past positions on issues.

Circumstances also make it hard to divorce Mr. Mitchell from politics. A visitor leaving his office the other day found waiting in the anteroom Fred Larue, the former Republican National Committeeman from Mississippi who played a major role in holding Nixon Southern strength at the 1968 convention.