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...Ends GOP Claim to Law, Order Issue...

Gov. Jimmy Carter (D-Ga.) has put his finger on the Watergate nerve that is painfully pinching the GOP. The Republican Party, he says, has "forfeited its right to any claim to be the party of law and order." Simultaneously, an adviser to Vice President Agnew is quoted as saying, "How do you run on law and order with this issue behind you?"

Crime in the U.S. is a genuine concern, but the political exploitation of it by Richard Nixon has been phony ever since he first raised the issue in the 1968 presidential campaign. So, if Watergate mutes the law-and-order demagoguery, it will be an unexpected dividend.

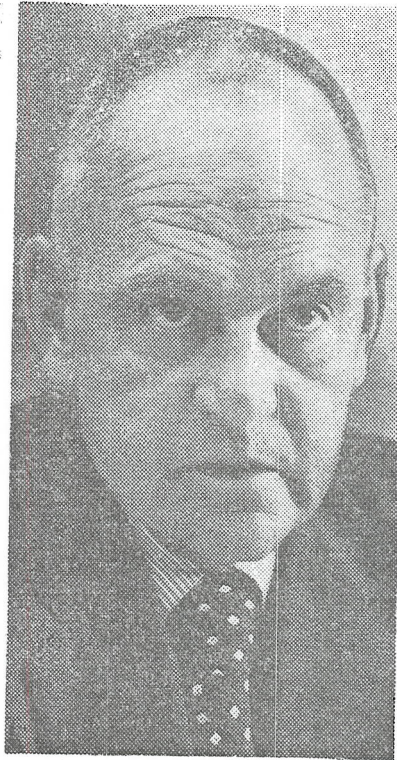
Meanwhile, however, even the most partisan critics of the Administration can get little satisfaction over the way a self-labeled law-and-order administration has degraded the Justice Department and dealt the FBI the severest blow ever to its once great reputation for competence and integrity, especially the latter.

The administration, denying charges of a cover-up, boasted of putting an army of the best FBI agents on the Watergate case, and giving them a free hand. Yet, after months of supposedly intensive investigation, the FBI was not able to get to the bottom of the scandal.

We are asked to believe that scores of agents, backed by all the power and facilities of the FBI, could not learn what a few newspaper reporters had no trouble uncovering in short order. It is inconceivable that the FBI is so inept. The answer is that the FBI was on a leash; it was given a limited mission; and, as we now know, the evidence it did collect was quickly passed on to presidential aides who themselves are now under suspicion.

Nothing like that ever happened under J. Edgar Hoover, but it did happen under his successor, L. Patrick Gray, another Nixon campaign assistant, who was made acting director during last year's presidential election. Gray, who saw he was unlikely to win confirmation as permanent head of the FBI, asked Mr. Nixon to withdraw his name from consideration. Then, yesterday, Gray resigned following reports that he had destroyed documents belonging to Watergate conspirator E. Howard Hunt Jr.

Richard Kleindienst, who succeeded John Mitchell as attorney general, also had a rough time being confirmed. He was accused, among other things, of failing to act against a bribe offer, of whitewashing the "highly improper" conduct of a U.S. attorney in California, and of playing ball with ITT in its



L. Patrick Gray III

successful effort to reverse an anti-trust action.

Kleindienst has now belatedly withdrawn from the further investigation of Watergate on the grounds that some of the suspects are persons with whom he has "had a close personal and professional relationship. . . ." His responsibility has been delegated to Henry E. Petersen, assistant attorney general in charge of the criminal division, who will report only to the President on Watergate.

This raises a serious new question. If "personal and professional" relationships disqualify Kleindienst, why don't they also disqualify Petersen, who, after all, owes his present eminence to being a protege of John Mitchell. The former attorney general, now a Watergate suspect himself, promoted Petersen time and again while he was running Justice.

Petersen, moreover, is an even closer friend of William G. Hundley, the attorney who has just been hired by Mitchell as his defense counsel. Petersen was deputy to Hundley when the latter was chief of Justice's organized crime division. The two are described as inseparable friends.

Petersen got his present job when an earlier scandal brought down another Justice Department official. He succeeded Will Wilson as head of the criminal division when the latter retired under fire in October, 1971. Last fall, Petersen succeeded in blocking a proposed House investigation into the Watergate case.

Petersen's appointment, the Justice Department says, eliminates the need for a special prosecutor to direct the government's investigation. That's what Justice and the White House said 10 months ago when Watergate began, but the need for an independent prosecutor is now more acute than ever.