

# Clark Blasts Justice Dept. Leadership

By Cathe Wolhowe

Washington Post Staff Writer

Former Attorney General

Ramsey Clark yesterday said the Justice Department has created a judicial system not of law, but of men, "lawless, truthless and with violent values that seek power to curb opposition."

At a conference called by Ralph Nader to evaluate the legal profession's performance, Clark said, "We can leave it to the new and future officials in the (Justice) Department, to the courts, the Congress and history to tell us how close we came to tyranny and irremediable corruption."

But Clark, unlike many other attorneys at the conference, refused to indict the legal profession for its performance.

"There are thousands of lawyers who would rather serve the public than bend the power of their intellects to private interest," he said. "Most career lawyers in the Department of Justice have these qualities; their leadership should have no less."

He called on the American Bar Association to take a strong role in achieving the "desperately needed restoration of law and truth in the department and respect for the department in the hearts of the people."

Nader's two-day conference is being held at the same time the American Bar Association is convening here.

"After 96 years of ABA conventions, we decided this was a good time to hold an alternative conference to juxtapose the traditional bar and the public interest bar," said Mark Green, director of Nader's Corporate Accountability Research Group.

Clark's recommendations to the ABA included:

- The President and White House staff should be prohibited

See CLARK, A23, Col. 1

## CLARK, From A1

ited from interfering in matters before the Justice Department.

- The Attorney General or the deputy attorney general and some assistant attorneys general should be members of a political party opposite from the administration.

- All written and oral communications involving cases before the department should be public if they involve the

White House, Congress or anyone else not directly involved.

- The department should be compelled to disclose any evidence relevant to the defense in a criminal case.

- Congress should eliminate Senate confirmation of the 93 U.S. attorneys, the major prosecutors in the department.

Clark also recommended that the FBI should be prohibited from accumulating information except in criminal cases and that dossiers on in-

dividuals or organizations should be prohibited.

To accomplish these goals, he suggested the establishment of a federal investigative and enforcement review board with power to hear and act on complaints of abuse.

Other attorneys present handed down stiffer verdicts of the legal profession.

"The verdict on lawyers as a profession is guilty," Herbert Denenberg, commissioner of

Pennsylvania's Insurance Department, said. "They have used vast social and economic power to further their own private interests with little or no consideration of desperate social needs."

He called lawyers "the enemies of reform" because "the practice of law is making a living, not reforming the world."

Jay Smyser, a former attorney in General Motors' general counsel's office, noted that the goal of many corpo-

rate attorneys becomes "profit maximization" rather than a detached legal view because many corporations offer bonus plans to their lawyers.

"Attorneys in this situation must recognize that, on the whole, it is fair for them to suffer moral guilt by association just as they share in material affluence by association," Joseph A. Califano, a partner in the Washington firm of Williams, Connolly and Califano, warned.

He cited attorneys involved in the Watergate incident as an example of how lawyers sometimes let political implications dominate legal action.

Although the eighth canon of the ABA Code of Professional Responsibility says a lawyer may advocate changes on behalf of a client even though he does not agree with them, Michael Pertschuk, chief counsel of the Senate Commerce Committee, says lawyers no longer can

"absolve themselves from responsibility for the shape of the laws, by remaining morally blind to the realities of the legislative process."

If the lawyer is a government attorney, he should remember that he represents the public, not a superior who threatens him with discharge if he refuses to take certain stands, William Dobrovir, formerly with Covington and Burling, said.