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...Beyond Politics... JAN 4 1972

Every incumbent knows that the best political strategy is to appear to be above and beyond politics. This approach appeals to the many voters who have an ambivalent attitude toward political leadership, recognizing that it is essential in a self-governing society and yet wishing that it were not necessary.

President Nixon was entirely orthodox in opening the New Year by telling the television interviewer that he would engage in "no public partisan activities" until after the Republican National Convention next August. "It will not be possible to take time off for partisan politics," he explained without a trace of a smile.

The hour-long interview was obviously a political enterprise. The President even volunteered that the Democrats were sure to ask for equal time. Political calculations never seemed far away as Mr. Nixon explained why he thinks Vietnam will not be a campaign issue, repeatedly contrasted the number of U.S. troops in Vietnam today with the number when he took office, or discussed the politically awkward questions of lower farm parity and higher unemployment.

When asked whether the activities of Gov. George C. Wallace are "a threat to holding this society together," the President claimed that this question should only be addressed to the Democrats since Mr. Wallace is nominally a member of that party when it suits his convenience. The Wallace movement, Mr. Nixon said, is "not our problem." That was the disingenuous reply of a candidate bidding for the Wallace vote and not the response of a President concerned with moral leadership of a badly divided society.

...Mr. Mitchell for Manager

President Nixon told a national television audience that "one of the hard decisions" facing him is whether to retain John Mitchell as his Attorney General or appoint him as manager of the Presidential campaign. The reason why the decision is so hard, Mr. Nixon said, is that Mr. Mitchell is "the best man, best qualified to be Attorney General" and also "best qualified to run the campaign."

According to informed observers, Mr. Mitchell has for some time been exercising those dual qualifications simultaneously. While Mr. Nixon understandably appreciates such dedication, there is some reason to believe that in the course of Mr. Mitchell's moonlighting, the cause of politics may tend to be favored over that of justice. The suspicion may even arise that the Department of Justice is not entirely blind to partisan politics. It cannot be easy for Mr. Mitchell, any more than it was for the late Robert F. Kennedy under similar circumstances, to persuade the public that justice is justice and politics is politics, and never the twain shall meet.

The President's decision ought not really be so hard when Mr. Mitchell's record as Politician General is reviewed. His capacity as Southern strategist was demonstrated by the subtlety with which he tried to prevent voter registration from becoming too egalitarian. His understanding of the relationship between youth and his party's interests was on display when he urged Congress not to allow students to vote in communities where they attended college. His grasp of the power of statistics was proved when he hailed the Administration's success on the law and order front. Had not serious crime increased by only 11 per cent in 1970, compared with 12 per cent the year before?

There are other compelling reasons why Mr. Mitchell might serve the country better as campaign manager than as Attorney General. It should not be too difficult to part with a chief legal officer who believes in "no knock" searches and in wire taps without benefit of court order; who sees no difference between Presidential powers to counter external threats to national security and similar powers invoked against vague domestic "conspiracies"; who, last May in Washington, approved of the dragnet arrest of nearly 13,000 persons, which ultimately led to 61 convictions on minor charges.

Since these issues ought to stand high on the agenda of public scrutiny of the Administration's stewardship, Mr. Mitchell is well suited to manage the debate on Mr. Nixon's side. It will take a different set of qualifications to pick up the pieces at Justice.